

DOCKET NO. \_\_\_\_\_

JOHN DOE SR, on behalf of his minor  
child JOHN DOE,

Plaintiff

VS.

THE HOPKINS SCHOOL and  
THE HOPKINS COMMITTEE OF  
TRUSTEES,

Defendants.

SUPERIOR COURT

JUDICIAL DISTRICT  
OF NEW HAVEN

AT NEW HAVEN

DATE: December 8, 2020

## COMPLAINT AND JURY DEMAND

### I. INTRODUCTION

1. Plaintiff John Doe Sr on behalf of his minor child John Doe sues for breach of contract, breach of the implied covenant of good faith and fair dealing, negligence, gross, reckless, and wanton misconduct, and emotional distress that John Doe suffered as a student of The Hopkins School ("Hopkins School") under the direction of the Hopkins Committee of Trustees ("Hopkins Trustees," Hopkins School and Hopkins Trustees are collectively "Hopkins").

2. In 2020, Hopkins expressly devoted itself to a so-called "social justice" crusade, a euphemism for remaking its curriculum and programs on the basis of race by "de-center[ing] Anglo-European voices" through a "race and representation audit."

3. Inspired by this crusade, students on campus singled out John Doe and denounced him as a "racist" because he voiced opinions supporting President Donald Trump and opinions critical of the movement known as Black Lives Matter. In particular, John Doe became the object of a character assassination campaign led by Jane Roe, who announced she would "get him expelled" because he supported President Trump. Jane Roe began to coerce other students into transparently false accusations that John Doe was "racist" and constantly used the "N-word," among other things. Jane Roe circulated videos calling for a "9 millimeter" to gun down John Doe as a "racist."

4. Hopkins quickly endorsed this false and malicious harassment in the name of “social justice.” Hopkins convened a so-called Discipline Committee--in reality a struggle session designed to compel John Doe’s confession to “racism.” John Doe refused to lie and confess. Hopkins therefore expelled him without following the rules set forth in its own Student Handbook. At the same time, Hopkins refused to discipline Jane Roe according to its handbook or halt her campaign of harassment against John Doe, which continues to the present, aided and abetted by Hopkins.

## **II. PARTIES**

5. Defendant Hopkins School is a private coeducational day school of approximately 714 students in grades 7-12, with its principle place of business at 986 Forest Road, New Haven, Connecticut. Hopkins School is a place of public accommodation.

6. Defendant Hopkins Committee of Trustees (“Hopkins Trustees”) operates, controls, manages, and possesses Hopkins School. Hopkins Trustees have ultimate authority for the supervision and financial decision-making of Hopkins School and set the policies and procedures of Hopkins School. The Hopkins Trustees are responsible for employment decisions and the acts of employees of the Hopkins School. The Hopkins Trustees’ principle place of business is 986 Forest Road, New Haven, Connecticut.

7. John Doe Sr is the father of John Doe, his minor child, who until his wrongful expulsion on October 24, 2020 was a day student at Hopkins School, for which John Doe Sr paid tuition. The Doe family resides in North Haven, Connecticut.

## **III. JURISDICTION AND VENUE**

8. This Court has jurisdiction under Conn. Gen. Stat. § 51-164s and § 31-72 over Plaintiff’s claims.

9. Venue is proper in the Judicial District of New Haven under Conn. Gen. Stat. § 51-345(3) because all parties reside within this Judicial District.

#### **IV. FACTS**

##### **A. Plaintiff Joins the Hopkins “Community” with the Class of 2023**

10. John Doe is currently a high school sophomore. In the fall semester 2020, prior to his wrongful expulsion from Hopkins, he was a rising sophomore, having successfully completed his freshman year at Hopkins with excellent grades and never having a single disciplinary issue, at Hopkins or any other school.

11. John Doe comes from a close, supportive family that is predominantly liberal in political outlook. Among his relatives are many multiracial families. One of the family’s chief values is to teach critical thinking and encourage reasoned discussion. Therefore, John Doe learned to think for himself and to view doctrinaire conformity with a critical eye.

12. Over the course of 2016-2020, John Doe at various times expressed support for Donald Trump and certain conservative political ideals, none of which were beyond mainstream political viewpoints in the United States.

13. After John Doe arrived at Hopkins in 2019, however, his political viewpoints made him the target of a campus smear campaign, including by faculty. After the killing of George Floyd in May 2020, this became a mob-like movement which ended, at Hopkins, with John Doe’s “academic execution” in the form of unfair expulsion.

14. Precocious and ambitious, when John Doe completed junior high school he asked his parents if he could enroll in a private high school with more challenging academic standards and a broader range of programs than he found available in his public high school. The family discussed the sacrifices this entailed. John Doe even contributed to the application fees for testing with money he had earned.

15. John Doe applied to and was admitted to Hopkins School in the 2019-2020 academic year.

16. Hopkins represents that it is an elite day school. Hopkins holds itself out as the “third oldest independent school in the country.”

17. Hopkins holds itself out as maintaining a rigorous and “very competitive,” merit-based application process. This was part of the attraction to John Doe. John Doe sought academic rigor in the community of serious students. According to Hopkins, “most applicants score above the 75<sup>th</sup> percentile on standardized entrance exams.”

18. Hopkins routinely places students from its graduating classes at every Ivy League institution in the country and at other colleges and universities that rank among the finest and most competitive in the nation and abroad. Hopkins teachers boast that their classes are more challenging and demanding than students eventually find college classes. When the Doe family toured Hopkins, they were impressed with Hopkins’ facilities, such as its science labs that included a centrifuge akin to a professional laboratory that one would find at elite university campuses.

19. Hopkins promises to sustain its graduates in other ways that go beyond academic preparation. In addition to offering elite college preparatory education, Hopkins promises to envelop graduates in the social network of its illustrious alumni, who include statesmen, prominent authors, entrepreneurs, corporate executives, leading academics, artists, and many other prestigious professionals.

20. Hopkins boasts of its strong, worldwide network of alumni, who provide networking and mentoring opportunities for graduates throughout their lives. Students expect this benefit, in which they invest their tuition and their family’s savings, to yield dividends over a lifetime.

21. Hopkins holds out on its website: “Hopkins is proud of its alumni – talented men and women who are making outstanding contributions in their professional fields of endeavor.”



22. For example, Hopkins established an Alumni Fellows Program in 2005 which “seeks to enrich the Hopkins learning experience by exposing students to alumni who will inspire, challenge, engage and educate students by sharing their unique life experiences.”

23. John Doe relied on Hopkins’ promise of access to this global network of accomplished alumni in deciding to apply, pay tuition, and attend.

24. Graduation with a diploma from Hopkins is extremely valuable. Given the strong social network formed both with fellow peers at Hopkins and with alumni around the world, coupled with rigorous academic standards, a degree from Hopkins confers membership in this elite network over a lifetime. The Hopkins community reaches into every important institution in American life and in the global community beyond.

25. A Hopkins degree comes at a premium. Annual tuition exceeds \$46,000, not including additional fees for activities, textbooks, and other materials. Families can expect to pay approximately \$200,000 for a Hopkins high school diploma.

26. Tuition substantially limits the student body to families who can afford such astronomical education costs. As is unsurprising given the disproportionate distribution of wealth in the United States, most Hopkins students are wealthy, privileged, and white—although Hopkins has maintained scholarship programs to demonstrate the school’s alleged “commit[ment] to making Hopkins affordable for families from a wide range of socioeconomic backgrounds.”

27. John Doe also valued Hopkins purported commitment to supporting students from underprivileged backgrounds and sought to work for the inclusion of students from diverse racial and socioeconomic backgrounds at Hopkins.

28. John Doe does not come from an elite background, nor did he qualify for financial aid from Hopkins. John Doe’s family therefore made deep sacrifices to pay his tuition to Hopkins.

## **B. Hopkins' Elite Cachet**

29. Part of the cachet that Hopkins markets to wealthy (and mostly white families) is its deep historical roots and traditions. In 1660, according to Hopkins' website, its namesake Edward Hopkins, was the second governor of the Connecticut Colony.

30. Unfortunately, Hopkins' historical legacy reaches back to the hypocrisy and tragedy of American black slavery. About Governor Hopkins, the school's newspaper remarks, employing the "N-word":

Hopkins was a slaveowner, and when he died in 1657, his estate included an unnamed slave. In Hopkins' will, "the Negar" was inventoried as property just like Hopkins' clothes and cows. It was with money from this estate that John Davenport (also a slaveowner) founded Hopkins Grammar School with two others in 1660 ... Edward Hopkins was a man of his time: a wealthy British businessman and politician who served as one of the Connecticut colony's first governors. It's not that surprising that he owned slaves.

See <https://www.therazoronline.com/news-detail?pk=1121127>.

31. Born of the proceeds of slavery, and the ugly equation of a human being with a farm animal simply because of the color of his skin, the Hopkins School emerged as the United States' first charitable trust in the 17<sup>th</sup> century Connecticut Colony. The "Hopkins Grammar School" held its first class on the New Haven Green.

32. Hopkins dedicates itself to the "breeding up of hopeful youths...for the public service of the country in future times." Students used to sing Edward Hopkins' praise with the following verse:

Then he sailed away his fortune still to find.

But he gave a colored gentleman and fourteen hundred pound,

For to educate the folk he left behind.

Id.

33. Hopkins no longer endorses the view that African Americans may be equated with farm animals. However, as this ditty and Hopkins' newspaper article clearly indicate, Hopkins recognizes that the meaning of language, even inflammatory language like the "N-word" or other derogatory references to race (like "colored gentleman"), are not forbidden at Hopkins. No student was punished for using the "N-word" in Hopkins' campus-wide publication. There is no rule forbidding the use of the "N-word" at Hopkins.

34. Yet following the corona virus pandemic and the killing of George Floyd, Hopkins' faculty and administration began to zealously apply an unknowable and arbitrary racial calculus to determine whom to punish for what kinds of language, depending on the identity and viewpoint of whomever is accused of uttering them, and depending on the identity and viewpoint of whomever denounces their fellow students.

35. Put simply, Hopkins encourages "social justice" in the form of mass denunciation and snap moralistic judgment on the basis of race, sex, and political viewpoint.

36. Hopkins knows or should have known that, in daily school life, Hopkins students banter with the "N-word" or variants like "nig"<sup>1</sup> to express affection, or they use racial slurs—like "cracker," "wasian," and other epithets—which proliferate in American slang along with the diversity of American life and culture. Hopkins students routinely use such slurs with each other without meaning insult, without giving insult, and without feeling insulted.

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<sup>1</sup> The Urban Dictionary includes the following off-color but accurate definition of "Nig" as used among Hopkins students:

A term of endearment used amongst friends, typically African-American people or those couple of f\*\*\*\*-up white dudes that think they're pretty bad\*\*\*.

1. Sup, nigs? (Black)

2. Hello, nigs, let us go to the grocery store and buy us a couple of bottles of that fizzy water. (White)

See <https://www.urbandictionary.com/define.php?term=nigs>

37. Like nearly all American teenagers, Hopkins students also celebrate, sing, and enjoy artistic expressions typically associated with American black culture, for example rap music, in which lyrics commonly include the “N-word” or variants in addition to other racial slurs.

38. By way of example, on October 7, 2020, just weeks before Hopkins would expel John Doe in a moral panic for allegedly using the “N-word,” Hopkins’ administration posted a video to Hopkins’ official Instagram account. The video shows a dance crew, mostly but not exclusively young black women, dancing to the catchy tune *Go Crazy* by Chris Brown and Young Thug.

39. *Go Crazy* includes the following lyrics:

Trips to your crib in the middle of the night

I know that you miss me 'cause I put down right

Damn, babe, I can put you on a flight

You know that *a nigga like me* can change your life

Oh, baby, everythin' you do is amazin'

(Emphasis added.) See <https://www.instagram.com/tv/CGDLmDpJN1S/?igshid=cfoojhum0z4x>.

40. Hopkins posted the “N-word” rhapsodizing song *Go Crazy* and the student dance routine celebrating it as part of Hopkins’ Virtual Assembly on October 7, 2020. This was an official Hopkins event, which Hopkins fully endorsed with the announcement, “Watch as Hopkins Dance Crew members ... perform a dance medley for today's Virtual Assembly.”

41. This official school statement using the “N-word” quickly received 1,473 views and several enthusiastic responses. On information and belief, no Hopkins students were at all traumatized by learning that the “N-word” is used in popular music, enjoyed by Hopkins students, whether Black or not, and repeated by students and the administration in a school-wide broadcast. Nor were any students punished or disciplined for using the “N-word” in a rap video. This was another example of Hopkins celebrating the common use of the “N-word.”



42. In John Doe's case, however, the fact that he expressed views supporting certain mainstream conservative viewpoints, and the fact that he was white, meant that he could be baselessly accused of "racism" for using words that other students use all the time at Hopkins. Other students were not punished for their viewpoints or use of slurs if they were considered to have correct viewpoints or if they came from a correct "race."

43. John Doe did everything humanly possible to demonstrate open mindedness, tolerance, and academic achievement at Hopkins. John Doe was serious about his studies and achieved A level grades in all subjects. Because John Doe demonstrated excellent academic achievement, Hopkins made him a Peer Tutor.

44. Rather than denounce others as "racist" to show devotion to "social justice," John Doe demonstrated his commitment to an equal society by reaching out to underserved and underrepresented communities. John Doe was one of twenty students chosen out of approximately 100 to be a mentor to inner city school students in the Pathfinder program. The Pathfinder program is "designed to access and enrich under-represented students from the greater New Haven area." See <https://www.hopkins360plan.com/community>.

45. Plaintiff also applied to serve on Hopkins' Diversity Panel.

46. Plaintiff participated on the soccer team, indoor track team, and crew teams at Hopkins. Plaintiff also joined the Little Blue World, an environmental conservation club, and he represented Hopkins in the Model United Nations. He also dedicated his time to Cards for Care (writing letters to Veterans), Hop Snugs, Child Advocacy Club, Hopkins Model Congress, Paws, Hopkins Read A-Loud, and Habitat for Humanity. He was, in short, a model student who expressed open-mindedness and curiosity about both liberal and conservative causes, at Hopkins and beyond.

47. Before his struggle session, John Doe distinguished himself, both as a freshman and as a rising sophomore. His expectations of Hopkins appeared to be fulfilled. Two of his good friends

at Hopkins were students of color: one who is black, they nicknamed “Cocoa Bean”; one whose family is from the Indian subcontinent, they nicknamed “Buddha,” while they nicknamed John Doe “Graham Cracker.” A “graham cracker” is an urban slur typically referring to a person of color who acts “white” like a “cracker” or vice versa.<sup>2</sup>

### **C. John Doe’s Disability and Hopkins’ Promise to Accommodate Him**

48. John Doe has persevered despite struggling with a behavioral/learning disability, about which Hopkins had actual knowledge. In the second grade, Plaintiff was diagnosed with Attention-Deficit/Hyperactivity Disorder (“ADHD”).

49. ADHD is a serious disability and mental illness and qualifies as one of the enumerated disabilities under the Individuals with Disabilities Education Act (IDEA).

50. When Plaintiff applied to, and was accepted at Hopkins School, Hopkins required that his parents provide his IEP with his academic records.

51. Hopkins required John Doe’s family to submit his IEP in order to assess whether to admit him and accommodate him given that ADHD is both a learning disability and a behavioral disability.

52. Hopkins admitted John Doe to the class of 2023 with full knowledge of his potential behavioral and learning problems as well as his dependency on medication to control the symptoms of his ADHD.

53. John Doe requested reasonable accommodations for his disability, which Hopkins granted. For example, throughout his freshman year and sophomore year, Hopkins afforded Plaintiff extra time in taking his exams and the PSAT.

54. Hopkins’ 2019-2020 Student Handbook (“Handbook”) promises students and parents: “The School does not discriminate on the basis of race, color, national or ethnic origin,

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<sup>2</sup>See [https://www.urbandictionary.com/define.php?term=graham%20cracker&utm\\_source=search-action](https://www.urbandictionary.com/define.php?term=graham%20cracker&utm_source=search-action).

alienage, religion, disability, sex, sexual orientation, gender identity or expression, or any other basis prohibited by law in any of its educational programs or in the administration of its educational policies, including admissions, financial aid, athletics and other school-administered programs.”

55. Hopkins also promises in its Handbook: “the School complies with applicable federal and state laws and will make reasonable accommodations and/or modifications to policies, procedures and practices for an otherwise qualified student with a disability to assist him or her in the meeting the [sic.] academic and behavioral performance standards of the school.”

56. Beyond the assurance that John Doe would be provided a safe learning environment in which he could excel, the 2019-2020 Hopkins Student Handbook provides that “Two fundamental principles underlie expectations for students at Hopkins: respect for the health, safety and civility of the community, and acceptance of responsibility for actions and decisions.”

57. Hopkins assured Plaintiff that its academic environment would support him and allow him to succeed. Hopkins promised Plaintiff and his family that it could and would take into consideration and accommodate his learning/behavioral disability. John Doe’s family relied on these representations and promises in making their decision to pay tuition and enroll John Doe.

58. Despite his disability, John Doe nevertheless achieved stellar grades at Hopkins.

59. Yet Hopkins eventually subjected John Doe to a collective interrogation by faculty and students, in which he was deprived of his ADHD medication.

60. During his eventual interrogation, John Doe was fidgety, confused and could not understand what the Hopkins Discipline Committee was doing to him. ADHD is a serious disability and recognized as such by Hopkins. Yet Hopkins refused to pause its interrogation of John Doe, even as he began to break down. Instead, Hopkins discriminated against John Doe by counting the manifestation of his disability as an indication that he was “not credible.”



#### D. Hopkins Disciplinary System and Rules

61. When a student and his or her family remit their tuition to Hopkins, they do so with the understanding that the policies, handbooks and regulations, both in print and on Hopkins' website, form binding contracts under Connecticut law between the school and its students (and their families).

62. The contractual relationship between a student (and their parents) and the school is manifest in the 2019-2020 Student Handbook ("Handbook").

63. Hopkins 2019-2020 Enrollment Agreement, into which John Doe's family entered, expressly incorporates the Handbook by reference in Section II:

##### II. Policies and Procedures.

I agree to uphold and abide by the School's policies and procedures, including but not limited to my obligation to pay the Tuition and all fees and charges when due. I understand that if the Student or I fail to uphold and abide by Hopkins' policies and procedures, including but not limited to those set forth in the ***Hopkins School Handbook*** as the same may be amended from time to time, the School may prohibit the Student from attending classes, participating in extra-curricular activities, taking examinations, and/or may withhold the Student's grades, transcripts, diploma and/or reenrollment agreement. Further, if I am not supportive of the School's goals and compliant with its policies and procedures, I understand that, at the discretion of the Head of School, Hopkins may refuse to re-enroll the Student and/or that I may be asked to withdraw the Student.

(Emph. added.)

64. Hopkins is just as obligated to follow its own policies and rules as are students.

65. Hopkins also has an anti-sexual harassment policy. The Handbook includes a detailed recitation that Hopkins "expressly prohibits any conduct or behavior that constitutes sexual harassment ... any student who engages in behavior in violation of this policy is subject to disciplinary action." The Handbook defines "[s]exual harassment ... as unwelcome conduct that is sexual in nature and denies or limits a student's ability to participate in or benefit from a school's education program or creates an intimidating, hostile or offensive environment which interferes with a student's performance."



66. The reality is, however, that Hopkins knowingly permits the sexual harassment of students such as John Doe, so long as they are male, white, and hold unpopular viewpoints.

67. Another express contractual promise is Hopkins' promises to enforce its policy on Computer, Internet, and Technology Use. Each student, by signing the Handbook, must commit to a Social Media Honor Code. Students "acknowledge that the rules in the Hopkins Handbook pertaining to offensive materials apply to the digital environment as they do to the physical environment. Content, including but not limited to: recorded audio or video, video or audio streams, photography, and video games that have offensive language, sexually explicit content, or overly realistic violence are prohibited ... on campus."

68. Hopkins' Social Media Honor Code of Conduct warns students, "Social Media of any kind ... are powerful, valuable tools that can be used for good or for great harm." The Social Media Honor Code of Conduct includes a list of standards which are "policies enforced according to the disciplinary policy in the Handbook and technology use policy; parents and students must initial and sign to acknowledge those policies."

69. Hopkins' Social Media Policies are as follows:

- By initialing to the left you acknowledge that Hopkins Community Expectations as per the Hopkins Handbook extend to all aspects of life connected to our community: in class, on the field, on the Internet, within social media and elsewhere.
- Behaviors, postings, photos, or any other social media usage that disrupt the classroom or impact the comfort or safety of fellow community members are subject to the full extent of Hopkins School rules as per the Hopkins Handbook ***regardless of where or through which medium those behaviors were enacted.***
- All people are responsible for their online profile, including posts and any photos, videos or other recordings posted by themselves or by others.
- Behaviors on Social Media of any kind known to Hopkins School that are dangerous or illegal, whether or not impactful on the school environment, will still be communicated to families and appropriate authorities where

applicable. Specifically: requesting, sending, or possession of sexually explicit or nude images of persons under the age of 18 is dangerous, a violation of Hopkins rules, and a federal and state crime.

Infractions of this code of conduct will be addressed to the disciplinary process in this Handbook; that process typically begins with careful consideration of the circumstances by the appropriate Head Advisor.

(Emph. added.)

70. In reality, however, Hopkins enforces its social media policy selectively, and does not discipline students who violate the policy so long as their social media harassment is directed at students such as John Doe who are white, male, and hold unpopular viewpoints.

71. “Generally,” the Handbook states, “once the school day has ended, parents are responsible for supervising their children.” But then Hopkins makes clear:

School rules are in effect **at all times**, ... expectations are heightened any time a student is: 1) on campus, whether or not school is in session; 2) off campus during the school day; 3) off campus while representing the school; and 4) present at an off-campus event at which a school organization is represented.

(Emph. added.)

72. To parents who assume that they, not the school, should be in charge of their children’s private lives, Hopkins warns:

Misconduct that occurs off-campus and outside of the School’s heightened jurisdiction shall not ordinarily be punished within the School; however, the School may take disciplinary action when a student’s conduct outside Hopkins or on the Internet or social media platform is prejudicial, represents a significant violation of school expectations, is contrary to the mission of the School, infringes on the rights of others or is prejudicial to or disruptive to order within the School or to the well-being of other students or student organizations.

73. Hopkins seeks to extend its Disciplinary System into its students’ private life off campus as well. Hopkins “reserves the right to discipline and impose other non-disciplinary consequences up to and including dismissal for those who do not live within the School’s limits or expectations.”

74. Despite Hopkins' expansive sense of its so-called "jurisdiction" (defining Hopkins as some sort of campus law court), its Handbook expressly states that off-campus activity is ordinarily *not punished*, whereas activity during Hopkins so-called "heightened jurisdiction," which directly affects school activities, is more likely to be punished.

75. In reality, however, Hopkins has aggressively extended unwritten, race-based standards of what it euphemistically calls "social justice" to all on- and off-campus activities to the maximum extent the school is able to surveil students such as John Doe, who are white, male, and hold unpopular viewpoints.

76. The Handbook "classifies unacceptable behavior into three broad categories: Inconsiderate Behavior, Serious Behavior and Very Serious Misconduct." The three categories of misconduct at Hopkins are defined as follows:

#### **Inconsiderate Behavior**

Inconsiderate behavior includes, but is not limited to the following behaviors: inappropriate language, attire or deportment; tardiness; careless use of property; inappropriate use of computers or other technology as described in our Computer, Internet, and Technology Use Policy; snowballing or throwing balls, Frisbees, etc., in or around buildings; five unexcused tardies per term; and other minor disruptions.

#### **Serious Misconduct**

Serious misconduct includes, but is not limited to the following: acts such as serious breaches of community standards or language and/or behavior; unexcused absence(s) from school, class, athletics, or other scheduled commitment; unauthorized departure from campus; acts that may compromise or disrupt the School's computer network; disruption of a class or assembly; gambling or gaming; or multiple instances of Inconsiderate Behavior.

#### **Very Serious Misconduct**

Very Serious Misconduct includes, but is not limited to the following: possession of firearms, replicas of firearms, ammunition, knives, or weapons or any type on the school campus; possession or use of any hazardous or harmful substance that may cause harm to persons or property; offensive language and/or behavior that is harassing, discriminatory, threatening or directed at another individual based on any other protected class (e.g. race, religion, sex etc.); verbal or physical harassment



of other students, teachers, or staff; serious disrespect for adults; bullying or hazing; cheating or plagiarism; fighting; violating network security or use of technology for illegal purposes; violation of rules while on Formal Warning or Probation; failure to cooperate fully or honestly with an investigation of misconduct; or illegal conduct, including, but not limited to: theft, vandalism; assault; threats to public safety; possession, sale, use, or being under the influence of alcohol or illegal drugs, or possession of drug paraphernalia, explosive, or dangerous instruments including fireworks or weapons.

77. Hopkins reserves the third category, “very serious misconduct,” for true threats to the Hopkins community, such as carrying firearms or other weapons, real physical assaults, bullying or hazing, in addition to the serious academic misconduct of cheating and plagiarism. Where “community standards” of language or behavior is “breached,” this is only an intermediate misconduct violation. To rise to the level of “very serious misconduct,” offensive language must be “directed at another individual” and “based on any other protected class (e.g. race, religion, sex etc.)”; or directed as “verbal ... harassment of other students, teachers, or staff.” It must be actually “harassing, discriminatory, threatening,” comparable to “bullying or hazing,” of another identifiable individual.

78. Merely “inappropriate language” only rises to the level of “inconsiderate behavior,” the lowest Hopkins infraction.

79. For lesser forms of misconduct, “inconsiderate behavior,” Teachers at Hopkins deal with these infractions as they occur. Only Serious Misconduct or Very Serious Misconduct must be reported to a Head Adviser of Hopkins.

80. Hopkins rules nowhere forbid use of the “N-word” in non-offensive contexts, and although the “N-word” and other racial epithets obviously can convey race-based harassment, such words have been used in Hopkins’ publications without warranting disciplinary response or causing harm to others. Such words are commonly used among students at Hopkins without giving, intending, or receiving insult or harm. The Hopkins school paper, with Hopkins approval, has used the “N-word” as well as other well-known derogatory terms referring to Blacks and other minorities, with no disciplinary consequences.



81. Hopkins knew or should have known that there are no words in the English language, not even the “N-word,” that are endowed with such evil word magic that they automatically show intent to cause or automatically cause actual offense, as exemplified in the harmless and even instructive use of the “N-word” in official Hopkins publications.

82. Only incidents of Serious Misconduct and Very Serious Misconduct may be referred to a Hopkins Discipline Committee. “The Discipline Committee is comprised of faculty and members of the senior class, as well as the Assistant Head of School (John Roberts) who acts as the Committee Chair.”

83. Hopkins has a special system for Reporting Very Serious Misconduct that does not apply to the two lesser forms of misconduct, which the Handbook describes as follows:

Hopkins provides a safe, friendly, and welcoming environment for all members of its community. On those very rare occasions when someone is victimized by, or is witness to an act of Very Serious Misconduct, it is vitally important that the individual make a report of the incident to a Head Advisor. While it is important to report any misconduct within the school, it is even critical to do so for serious offenses such as those that qualify as Very Serious Misconduct offenses.

84. The Handbook then requires Hopkins to act on Very Serious Misconduct reports:

When reports are made, Head Advisors shall forward a full report of the incident to the Dean of Students and the Assistant Head of School, and the appropriate Head Advisor(s) will follow up with an investigation of the reported incident. All such reports will be handled with sensitivity and discretion. An appropriate course of action in response to the misconduct shall be determined in accordance with the School’s Disciplinary Policy.

85. Thus, when any student reports Very Serious Misconduct, Hopkins must generate a “full report of the incident”; submit it to the Dean of Students and Assistant Head of School; and must, through a Head Advisor, follow-up with an investigation of the reported incident. Hopkins must also “determine” an appropriate course of action in response to the Very Serious Misconduct in accordance with its Handbook.

86. Unfortunately, after implementing its race-based “social justice” program, Hopkins applied different rules in practice for students of different races and who held acceptable viewpoints than the rules Hopkins applied to students such as John Doe who were white, disabled, and considered to have unacceptably conservative viewpoints—regardless of how main stream these might be. By way of example, Hopkins does not follow its rules when students like John Doe report Very Serious Misconduct. When John Doe’s reported Jane Roe’s sexual harassment, bullying, and hazing, use of racial epithets, Hopkins elected to ignore his complaint.

87. Hopkins may convene a Discipline Committee to “address[] ‘Serious’ or ‘Very Serious Misconduct’ in a meeting that typically includes the student, their parents, the student’s adviser (or another faculty member), three or more faculty Committee members and a like number of students, as well as the Dean of Students, the Assistant Head of School and the Head of School.

88. The Discipline Committee allegedly:

... addresses community expectations which had been transgressed and also attempts to help students reflect on their actions so that the experience results in learning and growth. Discipline Committee proceedings take the form of a conversation between the student and Committee members and do not imitate legal proceedings, and thus, representation by a lawyer is not permitted. Since honesty is expected in all dealings, getting inaccurate, misleading or incomplete information about the facts in a disciplinary case will likely compound both the student’s culpability and the severity of the School’s response. Following the conversation, the Committee deliberates on the situation and makes a recommendation regarding the School’s response to the Head of School, who may either accept or amend the recommendation.

89. Finally, Hopkins promises:

Copies of letters sent home stating disciplinary consequences -- which may include Formal Warning, Administrative Warning, Probation, Suspension, or Dismissal -- shall be placed in the student’s school file. For any student who has been dismissed/expelled from Hopkins for misconduct, the date of Dismissal shall appear under Hopkins transcript.

**E. Jane Roe's Campaign to Get John Doe Expelled as a "Racist" after He Dissents from Hopkins' Prevailing Orthodoxy**

90. When John Doe entered Hopkins in the fall semester 2019, students warned him that he should carefully avoid expressing conservative political opinions that deviated from the orthodoxy of Hopkins faculty and student body. In his first few weeks as a Freshman, an upperclassman advised him not to share his political views. Because he is a free thinker and believed, wrongly, that Hopkins respects traditional civil liberties as its policies promise, John Doe did not take this advice. He joined the Young Republican Club. At the same time, he also joined student clubs espousing traditionally liberal causes like environmentalism.

91. In the Spring of 2020, John Doe became acquainted with fellow Hopkins student Jane Roe. Jane Roe sent John Doe social media memes and videos, which escalated to harassing John Doe. For example, in spring 2020 Jane Roe sent John Doe a photo collage made up of women's breasts, captioned "Welcome to the Cum Zone" (the "Cum Zone Photo"). This was expressly sexually harassing.

92. As schools closed throughout the country in response to the global pandemic beginning in March 2020, Hopkins transitioned to on-line learning. This severely limited students' social life and also their interaction with each other. Ironically, Jane Roe's harassment increased as her actual contact with John Doe became non-existent.

93. As spring came to an end and during the summer months, Hopkins and non-Hopkins students joined their friends and acquaintances in Face Time calls to cope with the social isolation. Some Hopkins students, although not John Doe, joined these calls with the salutation, "Hey Nig" or "Hey Nigs."

94. John Doe did not use such epithets.

95. Even students who did use them, however, never directed such statements at any one individual or used these epithets in a demeaning way. To many white Hopkins students, adopting



what they perceive as Black idioms is part of “acting cool.” Jane Roe frequently participated in these calls as did non-Hopkins students, and Jane Roe used racial epithets in an effort to seem “cool.”

96. A close friend of John Doe’s, Witness 1, also joined in various conversations with Hopkins students and was known as “Wasian.” This is a racial epithet designating someone from a mixed-race family, e.g. half “Caucasian” and half “Asian.” Jane Roe freely used this racial epithet, “Wasian,” to refer to Witness 1 and other students of Asian-American heritage.

97. “Hi besties!!” Jane Roe announced in one communication,

Around 8 months ago I was called the hottest freshman ... Anyways how are y’all doin on this fineeee evening?? missed the wasian gang a bit [referring to Witness 1 and others] ...

Hopkins was fully aware that Jane Roe freely used such racial epithets. Yet Jane Roe was never punished or interrogated, despite actual textual evidence of her use of racial epithets, because she does not hold political viewpoints that deviate from Hopkins’ orthodoxy. Rather, Hopkins has encouraged Jane Roe to hold herself out as an agent of “social justice.” She is a champion of the race-based viewpoints that Hopkins’ now endorses.

98. As the summer progressed, Jane Roe targeted John Doe as an act of “social justice” because of his political viewpoints. Jane Roe and other students equated mainstream conservative viewpoints with “racism.” This harassment accelerated after the killing of George Floyd on May 25, 2020.

99. It was also actively encouraged by Hopkins. Following George Floyd’s tragic death, on June 6, 2020, Dr. Kai Bynum, Hopkins’ first African American Head of School, dedicated Hopkins to “social justice,” and made clear this would mean race-based changes to the curriculum:

We will re-examine our curriculum to incorporate a social justice lens, decenter Anglo-European [i.e. white] voices, and elevate all voices. This will also include a race and representation audit in our English and History Departments. Additionally, we will create a new interdisciplinary course on social justice.



See <https://hopkins.myschoolapp.com/podium/push/default.aspx?i=413446&s=82>. To this end, Bynum pledged Hopkins to implement “Diversity, Equity, and Inclusion training for hiring committees, an equity audit, and utiliz[e] new recruitment networks.” Id.

100. One of Hopkins’ first acts was to remove Harper Lee’s renowned antiracist, Pulitzer Prize-winning book, *To Kill a Mockingbird* from the curriculum. Harper Lee is an “Anglo-European voice” that Hopkins has now “decentered,” which is a Hopkins “social justice” euphemism for “censored.”

101. Dr. Bynum also announced a new direction in school discipline to supplant the Handbook:

- We will provide training and professional development to all employees (administrators, faculty, staff, and coaches) on cultural competency and culturally responsive teaching practices. We will also evolve our disciplinary process to include restorative justice practices.
- We will encourage and support our Student Diversity Board, along with our affinity groups on campus (Black Latinx<sup>3</sup> Student Union, Asian American Association, Students United for Racial Equity, Sexuality and Gender Advocates, and the Multi-ethnic Student Association) to create more spaces for association, affirmation and connection. We will also support our Employees of Color Affinity Group, as well as our faculty and staff Coalition for Anti-Racist Educators.

Id. In organizing social groups in the name of “diversity,” Hopkins’ “social justice” mission now actively encourages segregation into exclusive “student unions” and “associations” restricted to students who share a common (perceived) racial, ethnic, or sexual identity.

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<sup>3</sup> “Latinx” is a “social justice” word for people of Latin American decent, although spelling the word with an “x” has no meaning to most Americans, including the overwhelming majority of people of Latin American decent, among whom only 23% of U.S. adults who self-identify as Hispanic or Latino have heard of the term. Only 3% actually use the word; nevertheless, self-proclaimed advocates of “social justice” condemn those who do not use this neologism, which radically deviates from Spanish, because they believe Spanish as actually spoken by people of Latin American decent somehow demonstrates less sensitivity to this population. See e.g. <https://www.pewresearch.org/hispanic/2020/08/11/about-one-in-four-u-s-hispanics-have-heard-of-latinx-but-just-3-use-it/>

102. On information and belief, the euphemism “social justice,” as implemented by Hopkins faculty and promulgated to the students, is in fact a policy of race-based discrimination. These doctrines condemn white people, by virtue of their skin color, as inescapably racist, as purveyors of “structural racism,” and as bearers of “white privilege” and “implicit bias.” At the same time, Hopkins-style “social justice” privileges the identity of whomever counts as socially, economically, or politically downtrodden, such as the “black, indigenous, or people of color” (abbreviated as “BIPOC”). Generally, this excludes other “brown” peoples such as people from the Indian sub-continent or south Asia. “Social Justice,” on these terms, elevates people viewed as historically disadvantaged due to race through the condemnation of people perceived as historically “privileged” due to their race.

103. Given the emphasis of “social justice” on “white” racism, the most vicious accusations of racism leveled at Hopkins typically come from other privileged white students, like Jane Roe, who have few other options, as bearers of “white privilege,” to show their devotion to the “social justice” regime.

104. Students such as Jane Roe began to outdo each other to demonstrate commitment to “social justice” by denouncing others as “racists” among their peers. Thus, Hopkins sanctified the vicious character assassination typical among adolescent young people as a political virtue.

105. Already on June 2, 2020, Plaintiff received a message on his phone from another Hopkins student, a junior, whom John Doe barely knew. This student told John Doe that Jane Roe was “disgusted” because John Doe had posted a photo of President Trump on Instagram. There was no “racist” content to any of John Doe’s social media statements.

106. Another example occurred on or around June 4, 2020. John Doe posted a news story to Instagram, which fellow Hopkins student, sophomore Witness 2, observed. The news story was about a retired African-American police captain named David Dorn, who was killed by rioters in St.

Louis while protecting a local business. His photo was posted to the internet with a caption that said, “Rioting is not the answer.” He died on the sidewalk in front of a business where he provided security. Witness 2’s response was: “[John Doe] u r the problem because our country is so plagued with racism.”

107. John Doe responded, “Ehh am I the person that sees rioting is wrong and needs to stop.” The student again condemned John Doe, informing him that he should “think” before he speaks on social media.

108. The same student then scoured John Doe’s Instagram account and found a photo John Doe posted on February 6, 2020 that showed Speaker Nancy Pelosi ripping up the State of the Union speech--usually considered an act of defiance *against* President Donald Trump. Yet Witness 2 was appalled that John Doe posted this photo as well.

109. As quickly became apparent to John Doe, the actual substance of what he said was irrelevant to Hopkins’ growing “social justice” movement, which the faculty and administration openly encouraged. The important thing was to identify other white students as “racist,” condemn them in the harshest terms, and eventually destroy them as Hopkins students.

110. The harassment continued and accelerated. After Head of School Dr. Bynum committed Hopkins to “social justice,” Plaintiff received a new series of disturbing communications from Witness 2. She sent a Tik-Tok video of “TIK TOK RUSSELL T aka jolly-good-ginger,” an outspoken proponent of Black Lives Matter and slogans such as “White Silence Is Violence.” TIK TOK RUSSELL T broadcasts content from time to time praising and excusing rioting.

111. Witness 2 sent John Doe a video in which Tik Tok Russell T declares “You were sent this video because you either said or posted on social media the following statement – more white people are killed by the cops than black people.” The video ends with Tik Tok Russell T stating, “Now you understand the numbers. Now you understand what you were saying was wrong. Now you can stop saying this dumb shit.” Notwithstanding that it is factually correct that more white



people die at the hands of police than black people, although black victims are statistically overrepresented, facts did not matter to the gathering Hopkins' "social justice" mob attacking John Doe.

112. When John Doe voiced his criticism of the Black Lives Matter movement. Witness 2 informed him that "Black lives matter is not a debate..."

113. John Doe also defended President Donald Trump's achievements in increasing black support for the Republican Party. John Doe later tried to engage Witness 2 in reasoned discussion, asking if Tony Timpa, a white man killed at the hands of the police were black, if this would automatically be racist; whereas killing a white man in the same way would not be racist?

114. Witness 2 responded that John Doe was the problem and "racist." She also responded,

"THE FACT THAT PPL STILL SUPPORT TRUMP IS APPALLING. Not once has he said Black lives matter.... And trump is probably the worst fucking human being on the planet. He is sexist and has sexual assaulted multiple women. He is also racist. He is also a big fat liar and honestly I would say he's insane. YES ALL LIVES MATTER AND BLM IS NOT DISAGREEING WITH THAT HOWEVER AT THIS TIME BLACK LIVES R THE ONES THAT NEED HELP.

(Allcaps in original). Witness 2 ended her messages, "WE HATE DONALD TRUMP."

115. This would have remained an ordinary exchange between spirited teenagers, experimenting with political debate and struggling to grow to political adulthood. John Doe could not have anticipated, however, that Hopkins would reach into every private conversation between students and police his proper devotion to "social justice." Witness 2 later accused John Doe of saying the "N-word," although he had never used the N-word in any conversations with Witness 2, as the text of their conversations demonstrate.

116. As the summer progressed, Jane Roe also became more aggressive. On July 21, 2020, John Doe, a classmate, and his cousin were invited to swim at Jane Roe's family estate. Jane Roe's mother commented, "any time they want to come over is fine with me." Jane Roe had told her friends

that she was romantically interested in John Doe. Jane Roe again invited the boys over to her home on July 31, 2020. At this meet-up Jane Roe had a discussion with John Doe's cousin where she fretted over whether she could date someone with John Doe's political viewpoints. John Doe's cousin assured Jane Roe that John Doe was a good person who just had different viewpoints than her. On August 6, 2020, Jane Roe again invited John Doe to her home with his cousin and a non-Hopkins friend. These events passed without incident, and Jane Roe's mother expressed to the other boys' parents that they were "great" and welcome any time.

117. John Doe, his cousin, his friend and another Hopkins student went to Newport on August 19, 2020 with his cousin's aunt.. After learning of this trip, Jane Roe grilled the Hopkins student who went with John Doe to Newport about whether John Doe had been talking with "other girls."

118. Matters came to a head on August 22, 2020. Jane Roe challenged John Doe about his feelings for her. Jane Roe became extremely upset after she found out John Doe was not interested in her and complained to Witness 1.

119. Jane Roe claimed to be "hurt" because John Doe "dumped her," although there was never any sexual interaction between John Doe and Jane Roe. Yet Witness 1 warned in a text, "i don't think she's gonna rest until John Doe wants to leave hopkins she's like that."

120. This might have remained an adolescent "crush," but Jane Roe quickly pivoted to accuse John Doe of "racism" and other harassment. Then Hopkins endorsed Jane Roe's malicious attack on John Doe despite having actual knowledge of her targeted harassment of John Doe.

121. Jane Roe sent a SnapChat message to John Doe calling him a "racist." John Doe did not use any racial epithets in communications with Jane Roe.

122. Jane Roe continued incessant texting and trying to communicate with John Doe. Jane Roe also harassed John Doe by attacking his sister, an 11 year old, saying that she , "has a big butt."

Upset by her comments, John Doe blocked Jane Roe from his social media accounts. Indeed, as was Hopkins, Jane Roe had a history of harassing others at Hopkins. Jane Roe had incidents with other students at Hopkins that violated Hopkins rules. But this is the kind of behavior that Hopkins' "social justice" campaign elevated to a political virtue, so long as it was directed at students like John Doe.

123. Due to Covid-19, in the fall semester 2020 Hopkins placed John Doe in a cohort with other students who attended school every other week. Otherwise, he took classes virtually, from home. Interaction with other students was severely curtailed as a health precaution.

124. Other than an orientation day at Hopkins on September 11, 2020, at which John Doe and Jane Roe did not interact, John Doe did not see Jane Roe during that school year at all.

125. By this time, however, Jane Roe had become obsessed with characterizing John Doe as a racist, which was known throughout the student body and to Hopkins. She began a smear campaign spreading false accusations about John Doe. On September 19, 2020, John Doe's classmate sent him a message saying,

[Jane Roe]'s mad at [Witness 1] because she's explaining to her that you're a good person

and [Jane Roe] called you a racist trump supporter

i wasn't having any of that shit

i was like nahhh we love black ppl

i got your back bro

126. On or about September 19, 2020, Jane Roe subsequently sent John Doe a message, "I mean you use racial slurs which degrade black people and also support Trump who is definitely a racist, so yeah, you are a racist and I don't fw [fuck with]<sup>4</sup> you anymore I haven't talked to you in

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<sup>4</sup> This is Black American slang, commonly adopted by privileged white adolescents to sound "cool," and means "someone likes you a lot. Like they think you're cool and want to be your friend." See <https://www.urbandictionary.com/define.php?term=fuck%20with%20you>.



weeks.” To which John Doe responded that he did not want to associate with Jane Roe anymore and neither did other Hopkins students due to her race-baiting.

127. Jane Roe became increasingly angered, and she made a Tik-Tok video in which she pretended to gun down John Doe with a 9 mm gun (the “9 Millimeter Video”). The video also displays the following text:

me: \*\*\*\* is racist

saying the n word isn’t racist

using racial slurs, claiming to be more oppressed than black people and endorsing trump makes you racist

everyone will hate you if you call me racist

That makes them racist too

The bottom of the video pasted a previous text message exchange between John Doe and Jane Roe, With John Doe saying, “no juniors or sophomores will fw you if you keep calling me a racist” to which Jane Roe added the reply, “BICTH THEY RACIST TOO THEN.” Gunning down John Doe as a “racist” with a 9mm was meant as her final riposte.

128. After school began, Witness 1 directly witnessed Jane Roe coordinating other students to accuse John Doe of “racism” to get him expelled. Jane Roe again claimed to have “texts of [John Doe] saying racist things.” These never materialized because they did not exist, although there was ample textual evidence of Jane Roe’s harassment, sexual harassment, and politically motivated attack on John Doe, not to mention her own use of the racial slur “wasian”.

129. After blocking Jane Roe from his social media, at no point did John Doe direct any comments or statements toward Jane Roe, derogatory or otherwise. There was no opportunity during the Covid-19 school week, and Jane Roe was not in his Hopkins cohort. Hopkins knew or should have known that Jane Roe had no opportunity to witness or otherwise know what John Doe said to others.

130. John Doe also learned that Jane Roe was trying to coerce students into backing up the story that John Doe was “racist,” among other things by threatening to accuse additional students of “racism” if they did not condemn John Doe.

131. On October 13, 2020, a week when John Doe and his cohort were not even in school, he received a snap chat message from his friend Witness 1 that Jane Roe “is getting him expelled from school for saying racist things.” This understandably made John Doe emotionally distraught and anxious. Witness 1 indicated, “she’s forcing/scaring people into backing up her story and no one wants to say NO.”

132. In addition to telling his parents, John Doe reached out to his Adviser and Hopkins history professor, Megan Maxwell, who is African American. John Doe let Ms. Maxwell know of Jane Roe’s harassment and asked her advice.

133. Ms. Maxwell is a dedicated teacher and experienced editor, who earned her undergraduate history degree from Stanford University and a Masters Degree in public history from the University of Maryland. She embodies the dedication of Hopkins to teaching and mentoring from a bygone era. She is deeply well-read, and she is an individual of great compassion.

134. Ms. Maxwell tried to help John Doe gather actual evidence to counter the baseless accusations against him.

135. On October 13, 2020, John Doe’s Adviser, Ms. Maxwell sent him and his parents an email stating that Jane Roe had “laid out her allegations against [John Doe]” and that the school would get Jane Roe’s complaint on Thursday, October 15, 2020. Yet, there was never any indication from the school as to what these “allegations” were.

136. It was at this point that John Doe learned for the first time that he was accused of using the “N-word.” However, at no point was John Doe ever allowed to see any of the alleged “evidence” Jane Roe had supposedly collected against him.

137. Ms. Maxwell tried her best to help John Doe and asked John Doe to obtain his own proof to present to the school demonstrating Jane Roe's harassment.

138. That same day (October 13, 2020), John Doe sent social media to Ms. Maxwell showing Jane Roe "race baiting" his friend from North Haven. This friend was not even a Hopkins student, yet Jane Roe had attempted to get the friend to text her a racial slur in her apparent campaign to target John Doe.

139. When the friend refused, she wrote back, "it's okay to admit that you have poor judgment in regard to the use of derogatory slurs." Jane Roe accused the non-Hopkins student of being "perfectly comfortable using slurs against black and gay people," and then reverted to her favorite theme: denouncing Donald Trump, whom she labeled "racist towards Arab people ... and he is racist towards black people as well." Not only was Jane Roe accusing John Doe of "racism," she was now reaching beyond Hopkins to contact and denounce his friends as "racists" who impermissibly supporting President Trump.

140. The next day (October 14, 2020), John Doe's Adviser, Ms. Maxwell, asked him how he was doing and what he would like her to say to the Dean of Students Lars Jorgensen. Ms. Maxwell let John Doe know that the school now required him to prove a negative: that he *did not* use the "N-word."

141. John Doe scoured his social media but found only political statements, no derogatory racial statements. This did not matter to Hopkins. It was enough that he supported Donald Trump to count as "racist" and validate Jane Roe's harassment.

142. Later that day, John Doe spoke again to Ms. Maxwell, who informed him that other students had come forward alleging that he used the "N-word." As Hopkins knew or should have known, and as directly witnessed by Witness 1, Jane Roe had organized this campaign of character



assassination against John Doe. This turned the Hopkins campus into a modern day Salem Witch Hunt, complete with collective hysteria over the alleged use of the “N-word.”

143. John Doe provided a letter on October 13, 2020 to Ms. Maxwell explaining that he had blocked Jane Roe from his social media accounts because of her harassment. He also informed Ms. Maxwell that another student witness had information about Jane Roe coordinating malicious accusations by a group of Hopkins students to get him expelled. Jane Roe was pre-planning and coordinating who was going to say what and to whom in order to destroy John Doe at Hopkins.

144. John Doe Sr emailed Ms. Maxwell to let her know that his son had already blocked Jane Roe from social media accounts since late August. John Doe had not spoken to Jane Roe throughout the fall, and it was not possible for her to have any direct knowledge of anything he had said since her pool parties of the summer. John Doe Sr also informed Hopkins that he would like to see proof of what his son was accused of. John Doe Sr let Ms. Maxwell know that his son’s non-Hopkins friend felt harassed by Jane Roe because of her race baiting and had likewise blocked communications from her.

145. On October 14, 2020, Plaintiff’s aunt, an attorney, emailed Head of School Dr. Bynum and stated that she had read through social media directed at John Doe, and it was apparent to her that John Doe’s peers who were not Republicans seemed to be starting a witch hunt. Like most of John Doe’s multi-racial extended family, his aunt considers herself politically liberal, but she also respects the freedom of others to think differently.

146. On October 15, 2020, John Doe learned from his friend Witness 1 that Jane Roe continued to spread rumors and coerce people to back up the stories she was spreading against John Doe. Jane Roe, was strong-arming students, including Witness 1, into backing up her story. Witness 1 directly observed that students did not want to tell Jane Roe, “No.” The school was entering the

grip of moral panic over the “N-word” as well as simply equating “racists” with whomever counted on campus as Republican or “conservative.”

147. On October 15, 2020, Ms. Maxwell, John Doe’s advisor, emailed John Doe Sr that Dean Lars Jorgensen was taking over the investigation of John Doe. Jorgensen provided no documentation or evidence of any sort gathered by or presented by the school to which John Doe could respond. Ms. Maxwell stated, “we are all taking this quite seriously and without political affiliations.” Unfortunately, Ms. Maxwell could not speak for her supervisors in Hopkins’ administration.

148. Ms. Maxwell’s statement was untrue at the time it was uttered. Hopkins pressed forward its investigation of John Doe, a white, male student who self-identified as a campus Republican, while other students known to bandy about racial epithets, such as Jane Roe herself, were not investigated let alone punished because they touted the so-called “social justice” agenda.

149. On October 16, 2020, John Doe Sr emailed Dean Jorgensen, Dr. Bynum, Ms. Maxwell, and CC’ed John Doe’s aunt to inform them that John Doe had begun to break down crying due to the mob-like harassment he was experiencing at Hopkins. Hopkins remained deliberately indifferent to the harassment of John Doe.

150. For her part, Jane Roe continued spreading vicious stories throughout Hopkins that she was getting John Doe expelled and triumphantly announced she had got him “investigated.”

151. Hopkins had actual knowledge that Jane Roe spread these vicious rumors far beyond the school. On October 16, 2020, John Doe Sr informed Hopkins by email that his son was receiving calls from students unaffiliated with Hopkins. For instance, a student from North Haven High School called John Doe to ask “Are you ok? I heard some girl was trying to get you expelled for racist remarks.” John Doe was incredibly upset. It was not enough for Jane Roe to assassinate his character

and campaign to get him expelled at Hopkins. Within days of Jane Roe's complaint, malicious rumors spread even to non-Hopkins students in his hometown.

152. John Doe Sr complained to Dean Jorgensen that Hopkins' so-called investigation was not fair. He informed Dean Jorgensen that school children from other towns were calling his son, John Doe, with information regarding an investigation and upcoming expulsion because of "racism." John Doe Sr requested that Hopkins provide in writing all allegations of what his son was accused of by 5:00 p.m. Hopkins never provided any specific allegations and the inquiry and scope of the matter kept evolving and expanding. Hopkins, through Dean Jorgensen, simply instructed John Doe that he was required to prove he was not "racist."

153. On October 16, 2020, Dean Jorgensen emailed John Doe Sr, Ms. Maxwell, Head of School Bynum, and Assistant Head of School John Roberts stating that "we are doing our best to identify the validity of the claims that have been reported to us over the last several days"; and "I can assure you, any conversations that we have are confidential and no assumptions are made on our end; I listen to the students that come to me and do not share what others have said or witnessed."

154. As Hopkins knew or should have known, however, Hopkins' promise of confidentiality was being repeatedly breached.

155. Dean Jorgensen also asked that John Doe come with his parents to speak to him and Assistant Head of School Roberts. The parties eventually agreed to meet on Monday, October 19, 2020 at 3:30 p.m.

156. On October 17, 2020, John Doe followed up before the meeting by sending Dean Jorgensen the Cum Zone Photo, a sexually explicit collage of women's breasts, that Jane Roe had sent to harass him, with the caption "Welcome to the Cum Zone."

157. John Doe also provided the 9 Millimeter Video in which Jane Roe filmed herself calling for a "9 millimeter" to gun down John Dow as a "racist" while making machine-gun sounds. The



theme of Jane Roe's Tik-Tok video was that John Doe needed to be executed because he was "racist." The video included excerpts of direct conversations between Jane Roe and John Doe--and none of which John Doe used the "N-word."

158. John Doe and his family demanded an immediate investigation into the bullying and harassment of John Doe by Jane Roe. Hopkins knew or should have known at this time that John Doe was also being targeted by students, including Jane Roe, because of his political viewpoints and that Jane Roe's accusations were baseless, as exemplified by her promise to provide social media indicating John Doe has used the "N-word" but providing none.

159. Despite Hopkins' promises of fairness in its investigation, Hopkins did not conduct even the bare minimum of a critical investigation. Hopkins ignored Jane Roe's cancel campaign against John Doe and her coordination of vicious accusations to ruin John Doe's reputation and instead adopted everything said by Jane Roe as true.

160. This was another sign of the selective enforcement of Hopkins policies. Had John Doe, as a white, male, conservative student sent an explicit "Cum Zone Photo" to Jane Roe or an express threat of gunning down Jane Roe such as the "9 Millimeter Video," much less to any African American Hopkins student, Hopkins would have swiftly punished him for sexual and racial harassment. But where the target was a white, male, conservative student, as in John Doe's case, this was simply considered "social justice."

161. Hopkins again demonstrated its race-based "social justice" on October 19, 2020. John Doe, with his mother and father, met with Dean Jorgensen and Assistant Head of School Roberts at Hopkins. Roberts interrogated John Doe about his use of the "N" word.

162. Wracking his memory, John Doe responded that, a year ago he believed there was one incident in which he greeted a friend, who is white, with a variant of the "N-word," but no insult was directed at anyone and no offense was taken by anyone. John Doe also discussed other incidents with

Hopkins students, including Jane Roe, who had used racial epithets like the “N-word” or “Wasian” on Face Time calls during the summer, in which John Doe did not use such words.

163. John Doe denied using the “N-word” on campus after the single episode dating back to a year before in which it has been used with a white student.

164. John Doe once again explained to Hopkins in his interrogation that Jane Roe had started harassing him about being a “racist” after he had voiced support for Republican policies and Donald Trump and had rebuffed inquiries about “dating” her. He also explained, as Hopkins already knew, that John Doe and Jane Roe attended school on an opposite weekly rotation due to the corona virus. Therefore, Jane Roe could have no knowledge of what John Doe said to whom, not least because he had blocked her on social media and did not interact with her.

165. Since they were never in school together, and John Doe had in fact only seen her at a single September 11, 2020 orientation day event, it was impossible for Jane Roe to have any knowledge of whether he used the “N-word” or any other word.

166. But evidence does not matter at Hopkins so long as “social justice” is at issue. This did not matter to Assistant Head of School Roberts.

167. Roberts also questioned John Doe about whether he used Jewish slurs or jokes. This was the first time John Doe became aware that he was also accused of anti-Semitism.

168. John Doe denied even knowing a Jewish joke or what one would be like. John Doe asked why students would say that about him.

169. Assistant Head of School Roberts then began to lecture John Doe about “how hurtful this ‘N-word’ is.” He explained that Hopkins’ somehow had to apply unwritten race-based speech rules. Roberts instructed, “when African Americans use the ‘N-word,’ it’s different than others using the word.” As Hopkins knew or should have known, this was not the community standard applied at

any previous time at the school. Racial epithets were widely used among the student body regardless of race, including by Jane Roe, and without disciplinary consequences.

170. According to Assistant Head of School Roberts, however, white students may never use the “N-word”-- contradicting the practices of, for example, Hopkins’ own student newspaper. Assistant Head of School Roberts made clear that Hopkins now had different, if secret, language rules that it was now applying according to race.

171. As John Doe and his parents listened, Assistant Head of School Roberts crossed his arms over his heart indicating clutching something close to his breast and continued his lecture about race-based language rules: “African Americans hold this word so close to themselves because they are the only ones who are so hurt by the use of the word.”

172. John Doe Sr asked if Hopkins administrators had reviewed the material John Doe and his family had sent to Hopkins containing the Cum Zone Photo and the 9 Millimeter Video. Dean Jorgensen admitted that neither he nor Assistant Head of School Roberts had considered any of this evidence. John Doe and his family asked if the school was doing anything about Jane Roe’s politically motivated harassment of John Doe.

173. Hopkins was not doing anything about Jane Roe’s politically motivated harassment of John Doe (other than endorsing it).

174. John Doe Sr followed up with an email that same day (October 19, 2020) to Dean Jorgensen, Assistant Head of School Roberts, Ms. Maxwell, and Head of School Dr. Bynum. John Doe Sr expressed dismay that Hopkins ignored Jane Roe’s harassment of his son and would not even take time to read and view the content of her messages to his son or other evidence of this sexual and race-based harassment. Jane Roe’s baseless accusations of “racism” were only one manifestation of this harassment.



175. Jane Roe's communications with John Doe clearly violated Hopkins Social Media Honor Code of Conduct, among other policies. Jane Roe's harassment met the definition of Very Serious Misconduct. Her actions also violated rules and expectations at Hopkins that require students to treat others with respect, honesty, and courtesy.

176. Two days later (October 21, 2020), John Doe's aunt, an attorney, emailed Head of School Dr. Bynum, Dean Jorgensen, and Assistant Head of School Roberts, yet again putting Hopkins on notice that John Doe's family demanded an investigation into the harassment and bullying of John Doe by Jane Roe according to Hopkins' policies.

177. The family again referred Hopkins to Jane Roe's disturbing 9 Millimeter Video and Cum Zone Photo, including providing these to Head of School Dr. Bynum.

178. Hopkins response was to order John Doe to appear before the Discipline Committee. John Doe asked his advisor Ms. Maxwell to support him and accompany him, which she did.

179. Prior to the Discipline Committee, Dean Jorgensen also met with John Doe at his office, alone and without his parents or his advisor Ms. Maxwell. Hopkins held this meeting despite John Doe Sr's express instructions to Hopkins not to speak with John Doe without his parents present.

180. Dean Jorgensen peppered John Doe with questions as to why he took so long to come forward with his allegations against Jane Roe. Dean Jorgensen advised John Doe that there would be two separate investigations because his accusations against Jane Roe was supposedly not related. At Hopkins—where a white, male, conservative student is accused of “racism,” evidence that accusations against him are made in bad faith and discriminate against him on the basis of race and political viewpoint—is considered “unrelated” to the accusations.

181. On information and belief, no further actions were taken to investigate Jane Roe.

182. Dean Jorgensen advised John Doe that any allegations against Jane Roe would be excluded from the inquiry into accusations of “racism” against him. To Hopkins, Jane Roe’s threat to gun down a fellow Hopkins student for being conservative Trump supporter, and therefore automatically “racist,” were not relevant in weighing Jane Roe’s obviously false allegations. Dean Jorgensen informed John Doe that the alleged use of the “N-word” would be “investigated” in a vacuum, separate from any consideration of whether the allegations themselves were made in bad faith due to Jane Roe’s ongoing harassment.

183. When John Doe asked if he was in trouble, Dean Jorgensen indicated that the matter would either get kicked back to him or the Discipline Committee would make a ruling.

184. On October 22, 2020, at approximately 4:15 p.m., John Doe and his parents appeared before the Discipline Committee (the “Hearing”). During the Hearing, the committee subjected John Doe to a barrage of hostile questions. This was not “in the form of a conversation ... to help students reflect on their actions so that the experience results in learning and growth.”

185. Ms. Maxwell, John Doe’s Advisor, who is also black, was present to support John Doe, yet Dean Jorgenson had specifically removed her from investigating John Doe’s case. Hopkins did not want a black woman conducting an objective investigation of John Doe.

186. The interrogation of John Doe was combative and adversarial. A black faculty member on the Discipline Committee questioned John Doe what he would do if he heard someone say the “N-word.” John Doe responded that he would tell them not to use that word.

187. Although true, this was obviously the wrong answer. The faculty member took exception and admonished him that he would not “report” his fellow student to save his campus reputation. In fact, John Doe had reported Jane Roe after she began her hate-filled cancel campaign against him.

188. The faculty member continued to accuse John Doe, “You are more concerned with your social life than the ‘N-word’ on this campus.” As demonstrated by Hopkins’ own student publications, prior to Hopkins’ “social justice” awakening, however, Hopkins had not been concerned with the use of the “N-word” either. John Doe responded, “If I were to go to the Advisor’s office each time I heard the ‘N-word,’ I would have no friends here.” This was the social reality of Hopkins, as the Discipline Committee knew or should have known. In fact, John Doe would have had to report Hopkins’ own administrators for posting content to Hopkins’ Instagram account, including dance routines set to chants of, “You know that a nigga like me can change your life” (see <https://www.instagram.com/tv/CGDLmDpJN1S/?igshid=cfoojhum0z4x>). Throughout the student body, students freely used racial epithets without intending without causing emotional distress or insult, including racial epithets used to address John Doe like “graham cracker.”

189. The Hearing was not concerned with evidence, however, which took a backseat to “social justice.” Hopkins intended the Hearing to be a struggle session in which committee members refused to accept anything but John Doe’s abject confession to being supposedly “racist.” The Discipline Committee insisted John Doe admit to using the “N-word” on a regular basis, but when he told the truth and refused to buckle, this simply counted as further evidence to the Hearing of “racism.”

190. The Hearing inquired into all aspects of John Doe’s private life. These questions included whether he listened to or made rap music videos with his North Haven friends. These friends did not even attend Hopkins, and they made their videos off-campus when John Doe was in middle school, entirely unrelated to Hopkins. John Doe was asked whether he and his friends used the “N-word” in rap music.

191. According to Hopkins, rap music lyrics may be voiced only on the basis of race. This was exemplified by Hopkins’ own celebration of rap dance routines set to the “N-word”-celebrating



song, *Go Crazy*, posted to Hopkins' official Instagram site only two weeks prior to John Doe's struggle session. See <https://www.instagram.com/tv/CGDLmDpIN1S/?igshid=cfoojhum0z4x>. To Hopkins, the point of John Doe's struggle session was to punish white, male, and conservative students for doing what all other students were allowed to do and even celebrated for doing, so long as they were members of the correct "race" or political viewpoint.

192. Notwithstanding the fact that John Doe did not use the "N-word" in rap music videos recorded with his friends in middle school, the fact that John Doe was a fan of black cultural forms of expression such as rap music also counted as "racist."

193. In the hearing, John Doe's parents asked, "What proof is there of any of this?"—i.e. the accusations against John Doe. None was provided other than word of mouth from Jane Roe and fellow students she had cajoled into to denouncing John Doe.

194. In a pressure session where evidence does not matter, individuals with ADHD suffer extremely negative symptoms. Hopkins also knew or should have known that the Hearing placed John Doe at an extreme disadvantage due to his disability. During the late afternoon meeting, John Doe's medication for his ADHD had worn off. He was visibly distressed and agitated in the face of Hopkins' struggle session.

195. The Hearing would not allow John Doe a break from questioning. John Doe was fidgety, confused, and could not follow what the committee was doing to him.

196. The Discipline Committee counted the manifestation of John Doe's disability in the Hearing as "evidence" that he was not credible, although Hopkins knew or should have known that it was simply "evidence" that he was not medicated.

197. One aspect of the Hearing that aggravated John Doe's disability was the absence of evidence and Hopkins' insistence that exculpatory evidence indicated the opposite, for example, the contention that appreciation for rap music and lyrics was "racist" or the insistence that John Doe was

not sufficiently “anti-racist” because he failed to denounce his fellow students, when he had, in fact, reported Jane Roe’s abusive harassment.

198. This aggravated John Doe’s disability because it is impossible, even for an individual without a mental disability, to counter charges based on no evidence or to prove a negative. Although Jane Roe had been promising “text messages” in which John Doe used the “N-word,” there were and are none. Yet Jane Roe’s accusations of “racism” and using the “N-word” were considered beyond reputation. By contrast, numerous texts provided to Hopkins showed that Jane Roe accused John Doe of “racism” merely because he voices conservative viewpoints, but these were considered “unrelated.” Other textual evidence showed Jane Roe using racial epithets, but Hopkins was determined to enforce its never-before written race-based language rules selectively.

199. Assistant Head of School Roberts responded to John Doe’s request to know the evidence against him by simply saying that multiple “accounts” from (unnamed) students said that John Doe used the “N-word.” On information and belief, no students who came forward against John Doe were in his fall 2020 cohort and had no way to hear or even overhear John Doe speak anything. On information and belief, John Doe did not even have conversations with his “accusers”.

200. Hopkins knew or should have known from students like Witness 1 that Jane Roe had conspired, coordinated, and even coerced others to accuse John Doe of being “racist.” Hopkins intentionally excluded this evidence from John Doe’s case.

201. Hopkins permits and even encourages students to use the “N-word” in context, for example in its school newspaper, yet the material difference in John Doe’s Hearing was that John Doe was a white male with conservative viewpoints, and so Hopkins applied a different never-before-articulated standard to him.

202. Hopkins judged John Doe automatically incapable on the basis of race of holding “this word so close to himself” or uttering it without automatically giving insult, even to those who could

not and did not hear anything he said. Hopkins also considered John Doe incapable of disputing that he used the “N-word.”

203. At no point did anyone on the Discipline Committee identify a single student to whom John Doe had allegedly directed a racial epithet, any student whom he had directly harassed, or any student he had otherwise abused with insulting or demeaning language. This is required for an allegation of “very serious misconduct” (defining very serious verbal harassment as “directed at another individual”). Hopkins disregarded its own policies.

204. At the Hearing’s end, John Doe Sr asked whether the Hearing was solely about the use of the “N-word” and was told, “Yes.” Obviously, student allegations that John Doe used anti-Semitic slurs were so preposterous that this had already been dismissed. Hopkins considered the hate campaign to get John Doe expelled not credible as to those allegations, but Hopkins considered the same students somehow credible when it came to the “N-word.”

205. On October 22, 2020, Mr. Roberts called John Doe Sr and advised that the Discipline Committee had reached its decision but had to “run it by Dr. Bynum”, who, he said, had the “final say” to overturn any rulings the committee made. Assistant Head of School Roberts indicated John Doe would not be allowed to attend school for the following day and must stay home (Friday, October 23, 2020).

206. When John Doe Sr questioned whether John Doe was being suspended, Assistant Head of School Roberts replied that if John Doe was suspended, the missed day would go toward the suspension, indicating that this would be the *bare minimum* sanction. John Roberts continually stated that the disciplinary committee meeting was going to be a “learning experience” for these children, and nothing more, although the Hearing served no pedagogical purpose and imposed discipline for the purely private affairs of John Doe, even reaching back to his middle-school years.



207. The next day, John Doe's advisor Ms. Maxwell texted John Doe to say she was worried about him. Ms. Maxwell urged John Doe to get in touch with one of his friends. John Doe replied that he thought, by the rules, he was not allowed to talk about the Hearing with anyone at Hopkins. Ms. Maxwell stated, "the randos<sup>5</sup> seem to be shunning you, and I am worried you might feel alone." As Ms. Maxwell knew, Hopkins students, at Jane Roe's instigation, continued their character assassination campaign even after the Hearing, and continued lobbying to get John Doe "expelled" as a "racist" Trump supporter.

208. By the first day of his separation from Hopkins (Friday, October 23, 2020), John Doe kept asking his father about the Hearing decision every 45 minutes. He was throwing up, and he was breaking down. John Doe Sr texted Assistant Head of School Roberts to advise him of John Doe's condition.

209. On Saturday, October 24, 2020, John Doe Sr again texted Roberts to request that he advise as to the outcome of the Hearing.

210. Ms. Maxwell also contacted John Doe to ask if he had heard anything about the Hearing. When she learned that he had not, she offered to find out more information. Ms. Maxwell said, "I'm sorry, virtual hug." Later, when she learned that Hopkins was determined to expel John Doe, Ms. Maxwell broke down crying.

211. John Doe Sr emailed Hopkins Administrator John Roberts to remind him that the day of the disciplinary committee hearing, his son had not taken his ADHD medication for the afternoon. John Doe Sr noted that his son's ADHD medication only lasts until 2 to 3 PM. When the Disciplinary Hearing began at 4:15 PM, John Doe's medication had fully worn off, which severely impaired his demeanor and ability to respond at the hearing. John Doe Sr noted that John Doe was not provided

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<sup>5</sup> Highschool slang for random individuals.

any breaks and was experiencing issues as demonstrated by his fidgeting and inability to focus. John Doe requested that Hopkins take this fact into consideration and reverse its unfair expulsion.

212. In response, Assistant Head of School Roberts called to inform John Doe verbally that John Doe was expelled.

213. Assistant Head of School Roberts explained that the Discipline Committee believed “credible reports” from multiple students that John Doe had use the “N-word.” On information and belief, none of these (undisclosed) students had been able to speak to or with John Doe that entire semester. Hopkins knew or should have known that they had been organized as part of Jane Roe’s months-long crusade to get John Doe “expelled” as a “racist.”

214. Roberts informed the family that John Doe’s refusal to confess to “racism” made him not credible. The Discipline Committee, he said, “wanted to engage a young person to talk fully and forthrightly and the group did not believe that [John Doe] was forthright.” Nothing short of an abject confession was required to trumped up charges of “racism.”

215. The Discipline Committee made this determination notwithstanding that John Doe had responded truthfully to all questions and notwithstanding actual knowledge of the trumped-up nature of the allegations against him.

216. On Saturday, October 24, 2020, John Doe Sr advised Roberts that John Doe was suicidal.

217. Hopkins selectively enforced its policy. Hopkins expelled John Doe over an unwritten and never-before-enforced ban on the “N-word,” and even showed that it would expel him over imagined utterances of the “N-word,” so long as these were attributed to a white, male conservative student. Yet when John Doe Sr sent Assistant Head of School Roberts a social media of another Hopkins student utilizing the “N” word in writing, Hopkins did nothing. The difference, of course, is that the other student did not self-identify as a conservative.

218. John Doe Sr asked about the status of John Doe's complaint about Jane Roe's harassment and bullying campaign. John Doe Sr also asked whether any student would face consequences for falsely accusing John Doe of anti-Jewish slurs, since Hopkins obviously found those accusations not credible.

219. On information and belief, at no point did Hopkins investigate John Doe's complaint of Very Serious Misconduct against Jane Roe. In an interview with John Doe and at the Hearing, Hopkins made clear that it was going to ignore all text and video evidence presented by John Doe showing that the attacks upon him were malicious and in bad faith.

220. There was no report and no Discipline Committee Hearing to address John Doe's complaint against Jane Roe. Hopkins simply endorsed Jane Roe's political and racial harassment of John Doe as "social justice," a campaign she continues to prosecute against John Doe and his friends to the present day, with full knowledge of Hopkins. Jane Roe continues to harass students in North Haven well beyond the Hopkins community and spread rumors that John Doe is "racist," among other things.

221. On October 25, 2020, John Doe's family received an email from Assistant Head of School Roberts. Roberts offered to withdraw John Doe from Hopkins rather than memorialize his expulsion in writing. Neither John Doe nor his parents had ever asked for the option of this cover-up.

222. Nevertheless, Assistant Head of School Roberts called John Doe Sr and demanded an email requesting this withdrawal. Not only would John Doe be expelled; he now had to request it.

223. John Doe Sr texted Assistant Head of School Roberts requesting John Doe's transcripts. John Doe Sr yet again asked if Jane Roe's case would be investigated and brought to a Hearing. John Doe Sr asked Mr. Roberts if Hopkins required further evidence of social media or



students using the "N-word," demonstrating that use of racial epithets was widespread and accepted at Hopkins.

224. On October 25, 2020, Assistant Head of School Roberts responded that Head of School Dr. Bynum would not release John Doe's transcripts unless and until John Doe Sr emailed a formal request to "withdraw" John Doe.

225. Neither John Doe or his family received a written letter stating the expulsion sanction or reasons for it, in violation of the Handbook, until a month later (on November 20, 2020), long after Hopkins had forced John Doe to "withdraw."

226. Not only did John Doe forfeit his entire tuition; on November 19, 2020, Hopkins demanded that John Doe Sr pay a semester's tuition of approximately \$20,000. Hopkins also refuses to release John Doe's transcript.

## **V. CAUSES OF ACTION**

### **COUNT 1: Breach of Contract (Hopkins School)**

227. Plaintiff incorporates by reference all preceding paragraphs as if fully restated in this paragraph.

228. Plaintiff John Doe Sr entered into a contract with Hopkins School for the matriculation of his son John Doe, called the Hopkins 2019-2020 Enrollment Agreement, which incorporates by reference the Handbook and Hopkins' disciplinary system.

229. In addition, the policies, handbooks, rules, and manuals of a private school constitute binding contracts with students under Connecticut law.

230. Thus, Plaintiff John Doe Sr and John Doe had a contract with Hopkins School.

231. In the event, John Doe is not considered a party to this contract, he is a third-party beneficiary.

232. The Hopkins School breached its contract with John Doe Sr and John Doe by, without limitation:

- Failure to provide John Doe with a fair disciplinary process and failure to abide by express promises not to discriminate against John Doe.
- Failure to protect John Doe from discrimination on the basis of disability.
- Failure to protect John Doe from discrimination on the basis of sex.
- Failure to protect John Doe from discrimination on the basis of race.
- Failure to protect John Doe from sexual harassment, bullying, and racial harassment by Jane Roe.
- Failure to investigate John Doe's complaint against Jane Roe but only investigating Jane Roe's obviously trumped up complaint against John Doe.
- Failure to report on John Doe's complaint against Jane Roe, while reporting only on Jane Roe's obviously trumped up complaint against John Doe.
- Expelling John Doe for alleged "Very Serious Misconduct," consisting of supposedly enunciating the "N-word," even though no evidence heard or entertained by Hopkins School indicated that John Doe's used the "N-word" in any way that met the definition of "Very Serious Misconduct" defined in the Handbook, even if all allegations against him were counted as true, which they were not.
- Punishing only John Doe on the basis of race, because as a white, conservative student he was forbidden (retroactively) from enunciating the "N-word," while instructing John Doe that black students may freely use the "N-word," because this word may be held "close to their heart" on the basis of race.
- Punishing only John Doe for alleged "racism" as a white, conservative student for supposedly enunciating the "N-word," while freely allowing his accusers who conform to Hopkins political orthodoxy to employ the "N-word" and other racial epithets.
- Failure to issue a timely written decision as promised in the Handbook in cases of expulsion, that would become a record in John Doe's educational file and would constitute written reasons for his expulsion.

233. Hopkins School deprive John Doe Sr and John Doe of the benefit of the bargain, and John Doe forfeited his entire tuition. John Doe has been permanently severed from the Hopkins

alumni community, and will never be able to reap the lifelong benefits due to membership in this elite network.

234. John Doe has been emotionally harmed and suffered reputational harm, and he continues to be harmed because Hopkins School has encouraged and endorsed the continuing harassment by Jane Roe and other students, who defame John Doe by spreading rumors that he is “racist,” even beyond the student body and community of Hopkins.

235. John Doe has therefore been damaged in an amount to be determined at trial.

**COUNT 2: Breach of Contract (Hopkins Committee of Trustees)**

236. Plaintiff incorporates by reference all preceding paragraphs as if fully restated in this paragraph.

237. Plaintiff John Doe Sr entered into a contract with Hopkins Trustees for the matriculation of his son John Doe, called the Hopkins 2019-2020 Enrollment Agreement, which incorporates by reference the Handbook and disciplinary system.

238. In addition, the policies, handbooks, rules, and manuals of a private school constitute binding contracts with students under Connecticut law.

239. Thus, Plaintiff John Doe Sr and John Doe had a contract with Hopkins Trustees. If John Doe is found not to be in direct contract with Hopkins Trustees, he is a third party beneficiary.

240. The Hopkins Trustees breached their contract with John Doe Sr and John Doe by, without limitation:

- Failure to provide John Doe with a fair disciplinary process.
- Failure to protect John Doe from discrimination on the basis of disability.
- Failure to protect John Doe from discrimination on the basis of sex.
- Failure to protect John Doe from discrimination on the basis of race.



- Failure to protect John Doe from sexual harassment, bullying, and racial harassment by Jane Roe.
- Failure to investigate John Doe's complaint against Jane Roe but only investigating Jane Roe's obviously trumped up complaint against John Doe.
- Failure to report on John Doe's complaint against Jane Roe, while reporting only on Jane Roe's obviously trumped up complaint against John Doe.
- Expelling John Doe for alleged "Very Serious Misconduct," consisting of supposedly enunciating the "N-word," even though no evidence heard or entertained by Hopkins Trustees indicated that John Doe's used the "N-word" in any way that met the definition of "Very Serious Misconduct" defined in the Handbook, even if all allegations against him were counted as true, which they were not.
- Punishing only John Doe on the basis of race, because as a white, conservative student he was forbidden (retroactively) from enunciating the "N-word," while instructing John Doe that black students may freely use the "N-word," because this word may be held "close to their heart" on the basis of race.
- Punishing only John Doe for alleged "racism" as a white, conservative student for supposedly enunciating the "N-word," while freely allowing his accusers who conform to Hopkins political orthodoxy to employ the "N-word" and other racial epithets.
- Failure to issue a timely written decision as promised in the Handbook in cases of expulsion, that would become a record in John Doe's educational file and would constitute written reasons for his expulsion.

241. Hopkins Trustees deprive John Doe Sr and John Doe of the benefit of the bargain, and John Doe forfeited his entire tuition. John Doe has been permanently severed from the Hopkins alumni community, and will never be able to reap the lifelong benefits due to membership in this elite network.

242. John Doe has been emotionally harmed and suffered reputational harm, and he continues to be harmed because Hopkins Trustees has encouraged and endorsed the continuing harassment by Jane Roe and other students, who defame John Doe by spreading rumors that he is "racist," even beyond the student body and community of Hopkins.

243. John Doe has therefore been damaged in an amount to be determined at trial.

**COUNT 3: Breach of Covenant of Good Faith and Fair Dealing (Hopkins School)**

244. Plaintiff incorporates by reference all preceding paragraphs as if fully restated in this paragraph.

245. Every Connecticut contract incorporates an implied covenant of good faith and fair dealing.

246. Plaintiff and Hopkins School entered into binding contracts, including but not limited to the policies, manuals, and handbooks promulgated by Hopkins School, which became binding upon John Doe's matriculation. Each of these contracts included an implied covenant of good faith and fair dealing.

247. To the extent any alleged breached of contract in Count 1 is not enforceable due allegedly vague, overbroad, or unspecified promises of Hopkins School, Hopkins School nevertheless breached the implied covenant of good faith and fair dealing due to the fundamental unfairness of its treatment of John Doe.

248. In particular, Hopkins School unfairly and in bad faith engaged in the following acts and omissions, without limitation:

- Selectively enforcing the Handbook and its Very Serious Misconduct policy against John Doe but not against Jane Roe.
- Permitting the unfair and continuing harassment of John Doe, which continues to the present day.
- Disregarding evidence of Jane Roe's trumped up and politically motivated campaign to destroy John Doe as a "racist."
- Systematically ignoring its own rules and procedures in order to arbitrarily expel John Doe.
- Privileging and endorsing students who joined in Hopkins' "social justice" campaign by denouncing others and arbitrarily expelling students, like John Doe, who dissented.

- Unfairly subjection John Doe to a struggle session, euphemistically called a Discipline Committee, and knowingly forcing John Doe beyond his endurance when his medications wore off to cope with his disability of ADHD.
- Remaining deliberately indifferent to John Doe's harassment by, among others, Jane Roe.

249. Hopkins School also knew that its faculty harassed, demeaned, and otherwise announced their disfavor of political viewpoints such as those held by John Doe and other conservative students.

250. Hopkins School endorsed the malicious and politically motivated assault on John Doe by expelling him in the name of a race-based "social justice." But Hopkins School did nothing when John Doe complained of his harassment at the hands of Jane Roe, a self-identified crusader for "social justice."

251. Hopkins School continues to encourage and tolerate Jane Roe's ongoing harassment of John Doe. She continues to contact students far beyond Hopkins School, with Hopkins School's full knowledge, spreading rumors of her successful campaign to get John Doe expelled and defaming him (and other students) as "racist." Hopkins School aids and abets this hate campaign despite the express promises of confidentiality to John Doe.

252. Other Hopkins students increasingly fear that Jane Roe will turn on them, and the Hopkins School will endorse and aid and abet the atmosphere of witch hunting that Jane Roe has inspired in the name of "social justice."

253. Hopkins School deprived John Doe of the benefit of his bargain. Hopkins School acted in such a way to impede or interfere with John Doe's right to receive benefits that he and his family reasonably expected to receive under the express terms of the parties' contracts; and such acts of impeding or interference by Hopkins School with John Doe's right to receive benefits reasonably expected under his contracts were taken in bad faith.



254. John Doe forfeited his entire tuition. John Doe has been permanently severed from the Hopkins alumni community, and will never be able to reap the lifelong benefits due to membership in this elite social network.

255. John Doe has been emotionally harmed and harmed in his reputation and continues to be harmed because Hopkins School has encouraged his continuing harassment by Jane Roe and other students, who are defaming him and spreading rumors that he is “racist,” even beyond the student body and community of Hopkins.

256. John Doe has therefore been damaged in an amount to be determined at trial.

**COUNT 4: Breach of Covenant of Good Faith and Fair Dealing (Hopkins Trustees)**

257. Plaintiff incorporates by reference all preceding paragraphs as if fully restated in this paragraph.

258. Every Connecticut contract incorporates an implied covenant of good faith and fair dealing.

259. Plaintiff and Hopkins Trustees entered into binding contracts, including but not limited to the policies, manuals, and handbooks promulgated by Hopkins Trustees, which became binding upon John Doe’s matriculation. Each of these contracts included an implied covenant of good faith and fair dealing.

260. To the extent any alleged breached of contract alleged in Count 2 are not enforceable due allegedly vague, overbroad, or unspecified promises of Hopkins Trustees, Hopkins Trustees nevertheless still breached the implied covenant of good faith and fair dealing due to the fundamental unfairness of its treatment of John Doe.

261. In particular, Hopkins Trustees unfairly and in bad faith engaged in the following acts and omissions, without limitation:

- Selectively enforcing the Handbook and its Very Serious Misconduct policy against John Doe but not against Jane Roe.
- Permitting the unfair and continuing harassment of John Doe.
- Disregarding evidence of Jane Roe's trumped up and politically motivated campaign to destroy John Doe as a "racist."
- Selectively enforcing unwritten and unknowable speech codes on the basis of race, gender, and political orientation.
- Systematically ignoring its own rules and procedures in order to arbitrarily expel John Doe.
- Privileging and endorsing students who willingly joined in Hopkins' "social justice" campaign while arbitrarily expelling students, like John Doe, who expressed criticism of the tenants of Hopkins' so-called "social justice" campaign.
- Unfairly subjecting John Doe to a struggle session, euphemistically called Discipline Committee, and knowingly forcing John Doe beyond his endurance when his medications wore off to cope with his disability of ADHD.
- Remaining deliberately indifferent to John Doe's harassment by, among others, Jane Roe.

262. Hopkins Trustees also knew that their faculty harassed, demeaned, and otherwise announced their disfavor of political viewpoints such as those held by John Doe and other conservative students.

263. Hopkins Trustees endorsed the malicious and politically motivated assault on John Doe's education by expelling John Doe in the name of a race-based "social justice." But Hopkins Trustees did nothing when John Doe complained of his harassment at the hands of Jane Roe, a self-identified crusader for "social justice."

264. Hopkins Trustees continues to encourage and tolerate Jane Roe's ongoing harassment of John Doe. She continues to contact students far beyond Hopkins, with Hopkins Trustees' full knowledge, spreading rumors of her successful campaign to get John Doe expelled and defaming him

(and other students) as “racist.” Hopkins School aids and abets this hate campaign despite the express promises of confidentiality to John Doe.

265. Other Hopkins students increasingly fear that Jane Roe will turn on them, and the Hopkins Trustees will endorse and aid and abet the atmosphere of witch hunting that Jane Roe has inspired.

266. Hopkins Trustees deprive John Doe of the benefit of his bargain. Hopkins Trustees acted in such a way to impede or interfere with John Doe’s right to receive benefits that he and his family reasonably expected to receive under the express terms of the parties’ contracts; and such acts of impeding or interference by Hopkins Trustees with John Doe’s right to receive benefits reasonably expected under his contracts were taken in bad faith.

267. John Doe forfeited his entire tuition. John Doe has been permanently severed from the Hopkins alumni community, and will never be able to reap the lifelong benefits due to membership in this elite social network.

268. John Doe has been emotionally harmed and harmed in his reputation and continues to be harmed because Hopkins Trustees has encouraged his continuing harassment by Jane Roe and other students, who are defaming him and spreading rumors that he is “racist,” even beyond the student body and community of Hopkins.

269. John Doe has therefore been damaged in an amount to be determined at trial.

**COUNT 5: Negligence (Hopkins School)**

270. Plaintiff incorporates by reference all preceding paragraphs as if fully restated in this paragraph.

271. Hopkins School assumed the duty to act as John Doe’s parents in the private school environment as *in loco parentis*.



272. Hopkins School assumed the express duty to protect John Doe from, without limitation, discrimination on the basis of race, sex, disability, and political viewpoint.

273. Hopkins School assumed the express duty to promote within its student body and for the benefit of John Doe and other students, “the fullest participation and widest perspectives in order to animate and enrich all experiences represented within the Hopkins community—past, present, and not least, future.” “As such, the Office of Equity & Community at Hopkins is responsible for promoting a warm, welcoming culture through self-awareness, mutual respect, and integrity ... We uphold caring, compassionate, and critical community members as essential to an inclusive school.”

274. Hopkins School knew or should have known that Jane Roe was prosecuting a campaign to “get John Doe expelled.”

275. Hopkins School knew or should have known that Jane Roe was responsible for a social media campaign against John Doe, aided and abetted by other Hopkins students and by Hopkins School, in which John Doe was smeared as a young white male who was “racist” for expressing conservative political viewpoints.

276. Hopkins School knew or should have known that Jane Roe had circulated the 9 Millimeter Video, threatening to gun down John Doe as a “racist.”

277. Hopkins School knew or should have known that Jane Roe and her friends were coercing other students into making baseless accusations that John Doe constantly used the “N-word.”

278. Hopkins School knew or should have known that the “N-word” and its variants as well as other racial epithets were and are commonly used among the Hopkins student body, including by John Doe’s accusers, without violating the Handbook.

279. Hopkins School knew or should have known that John Doe was subjected to a hostile environment by students including but not limited to Jane Roe.

280. Hopkins School knew or should have known that John Doe was vulnerable to harassment and social media bullying campaigns due to his diagnosed ADHD, of which Hopkins School had actual knowledge.

281. Hopkins School knew or should have known that John Doe required medication to control his ADHD, medication which began to wear off during afterschool hours. Yet Hopkins School's struggle session ignored the impact on John Doe of his ADHD.

282. Hopkins School breached its assumed duties to John Doe.

283. Hopkins School breached its duty by subjected John Doe to an arbitrary and unfair discipline process which led to his wrongful expulsion for doing nothing other than what other Hopkins students do on a regular basis--even if all allegations are taken as true, which they were not--as Hopkins School knew or should have known. John Doe's sole feature that distinguished him from his accusers was that he was a white male student with unpopular political viewpoints.

284. Hopkins School breached its duty by remaining deliberately indifferent to Jane Roe's harassment and conspiracy to get John Doe expelled. Jane Roe, although also "white" was a young female student with political viewpoints that Hopkins School deems virtuous, because Jane Roe holds herself out as a crusader for "social justice."

285. Hopkins School breached its duty by expelling John Doe on the basis of race, arbitrarily declaring that racial identity as "black," "white," or other categories gives rise to different (albeit secret and arbitrary) rules as to who may speak or presume to be offended by words like the "N-word" and other racial epithets. Hopkins therefore selectively enforces its unwritten and inscrutable speech codes on the basis of race.

286. Hopkins School breached its duty by subjecting John Doe to a struggle session in the guise of its Discipline Committee, convened to compel John Doe's confession to "racism."

287. When John Doe refused to confess, he was verbally told he was expelled, only to be forced to request “withdrawal.”

288. John Doe’s struggle session took place during afterschool hours, at a time that Hopkins School knew or should have known that John Doe’s medication for ADHD had worn off. The effect on John Doe was all the more unbearable, as Hopkins School knew or should have known that it would be. Hopkins School breached its duty to accommodate John Doe’s disability by forcing him through its struggle session despite his need for medication and discriminated against him by counting John Doe’s inability to concentrate and near breakdown as evidence that he was not “candid” or “credible.”

289. Even where Hopkins School followed the letter of its rules, it breached its duty to John Doe by the fundamental unfairness in its process and procedures. Hopkins School arbitrarily and capriciously expelled John Doe without following its own rules set forth in its Discipline System and Handbook.

290. John Doe has been damaged. He has forfeited his entire tuition. John Doe has been permanently severed from the Hopkins alumni community, and will never be able to reap the lifelong benefits due to membership in this elite social network.

291. John Doe has been emotionally harmed and harmed in his reputation, and he continues to be harmed because Hopkins School has encouraged his ongoing harassment by Jane Roe, without limitation, who defames him and spreads rumors that he is “racist,” even beyond the student body and community of Hopkins.

292. John Doe has therefore been damaged in an amount to be determined at trial.

**COUNT 6: Negligence (Hopkins Trustees)**

293. Plaintiff incorporates by reference all preceding paragraphs as if fully restated in this paragraph.



294. Hopkins Trustees assumed the duty to act as John Doe's parents in the private school environment as in loco parentis.

295. Hopkins Trustees assumed the express duty to protect John Doe from, without limitation, discrimination on the basis of race, sex, disability, and political viewpoint.

296. Hopkins Trustees has and had a duty to supervise and oversee Hopkins' employees as well as its policies, rules, and procedures, including those applied to John Doe.

297. Hopkins Trustees assumed the express duty to promote within its student body and for the benefit of John Doe and other students, "the fullest participation and widest perspectives in order to animate and enrich all experiences represented within the Hopkins community—past, present, and not least, future." "As such, the Office of Equity & Community at Hopkins is responsible for promoting a warm, welcoming culture through self-awareness, mutual respect, and integrity ... We uphold caring, compassionate, and critical community members as essential to an inclusive school."

298. Hopkins Trustees knew or should have known that Jane Roe was prosecuting a campaign to "get John Doe expelled."

299. Hopkins Trustees knew or should have known that Jane Roe was responsible for a social media campaign against John Doe, aided and abetted by other Hopkins students and by Hopkins School over which the Hopkins Trustees have oversight, in which John Doe was smeared as a white male "racist" for expressing conservative political viewpoints.

300. Hopkins Trustees knew or should have known that Jane Roe had circulated the 9 Millimeter Video, threatening to gun down John Doe as a "racist."

301. Hopkins Trustees knew or should have known that Jane Roe and her friends were coercing other students into making baseless accusations that John Doe constantly used the "N-word."

302. Hopkins Trustees knew or should have known that the “N-word” and its variants as well as other racial epithets were and are commonly used among the Hopkins student body, including by John Doe’s accusers.

303. Hopkins Trustees knew or should have known that John Doe was subjected to a hostile environment by students including but not limited to Jane Roe.

304. Hopkins Trustees knew or should have known that John Doe was critically vulnerable to harassment and social media bullying campaigns due to his diagnosed ADHD, of which Hopkins Trustees had actual knowledge.

305. Hopkins Trustees knew or should have known that John Doe required medication to control his ADHD, medication which began to wear off during afterschool hours.

306. Hopkins Trustees breached their assumed duties to John Doe.

307. Hopkins Trustees breached their duty by subjected John Doe to an arbitrary and unfair discipline process which led to his wrongful expulsion for doing nothing other than what other Hopkins students do on a regular basis--even if all allegations are taken as true, which they were not--as Hopkins Trustees knew or should have known. John Doe’s sole feature that distinguished him from his accusers was that he was a white, male student with unpopular political viewpoints.

308. Hopkins Trustees breached their duty by remaining deliberately indifferent to Jane Roe’s harassment and conspiring to get John Doe expelled. Jane Roe, although also “white,” is a female student with political viewpoints that Hopkins Trustees deem valorous because Jane Roe holds herself out as a crusader in the name of “social justice.”

309. Hopkins Trustees breached their duty by expelling John Doe on the basis of race, arbitrarily declaring that racial identity as “black,” “white,” or other categories gives rise to different (albeit secret and arbitrary) rules as to who may speak or presume to be offended by such words like

the “N-word” and other racial epithets. Hopkins therefore selectively enforces its unwritten and inscrutable speech codes on the basis of race.

310. Hopkins Trustees breached their duty by subjecting John Doe to a struggle session in the guise of its Discipline Committee, convened to compel his confession to “racism.” But when John Doe refused to confess, he was verbally told he was expelled, only to be forced to request “withdrawal.”

311. John Doe’s struggle session took place during afterschool hours, at a time that Hopkins Trustees knew or should have known that John Doe’s medication for ADHD had worn off. The effect on John Doe was all the more unbearable, as Hopkins Trustees knew or should have known that it would be. Hopkins Trustees breached their duty to accommodate John Doe’s disability by forcing him through its struggle session despite his need for medication and discriminated against him by counting John Doe’s inability to concentrate and near breakdown as evidence that he was not “candid” or “credible.”

312. Even where Hopkins Trustees followed the letter of their rules, they breached their duty to John Doe by negligently ensuring fundamental unfairness in their process and procedures. Hopkins Trustees arbitrarily and capriciously expelled John Doe without following their own rules set forth in its Discipline System and Handbook.

313. John Doe has been damaged. He has forfeited his entire tuition. John Doe has been permanently severed from the Hopkins alumni community, and will never be able to reap the lifelong benefits due to membership in this elite social network.

314. John Doe has been emotionally harmed and harmed in his reputation, and he continues to be harmed because Hopkins Trustees has encouraged his ongoing harassment by Jane Roe, without limitation, who defames him and spreads rumors that he is “racist,” even beyond the student body and community of Hopkins.



315. John Doe has therefore been damaged in an amount to be determined at trial.

**COUNT 7: Reckless or Wanton Misconduct (Hopkins School)**

316. Plaintiff incorporates by reference all preceding paragraphs as if fully restated in this paragraph.

317. The Hopkins School had and assumed all duties set forth in Count 5 above.

318. Hopkins School intentionally breached its duty to John Doe by permitting him to be discriminated against on the basis of race, sex, political viewpoint, and disability by, without limitation, remaining deliberately indifferent to his harassment by Jane Roe and other students through false accusations of “racism” because of his sex, race, and political viewpoint, through lewd and malicious social media attacks, including but not limited to the Cum Zone Photo and the 9 Millimeter Video, and through a mob-like campaign of false accusations that John Doe used the “N-word.”

319. Hopkins School was intentionally and deliberately indifferent to Jane Roe’s sexual harassment and racial harassment of John Doe by refusing to investigate or report on John Doe’s repeated complaints of Jane Roe’s deliberate abuse.

320. Hopkins School intentionally breached its duty by subjecting John Doe to a Discipline Committee, in reality a struggle session designed to coerce his confession to “racism,” and Hopkins School deliberately failed to follow its own rules and procedures as set forth in its Handbook.

321. Hopkins School deliberately applied different, arbitrary and no-where articulated race-based standards to John Doe than Hopkins School applied to other students who conformed to the Hopkins orthodoxy of “social justice.”

322. Hopkins School deliberately ignored John Doe’s disability and instead counted the manifestation of John Doe’s disability against him when he needed his medication for ADHD in the struggle session or Hearing to which Hopkins School deliberately subjected John Doe.

323. Hopkins school was aware of the damage that would be caused by breaching its duty to John Doe. Hopkins School therefore acted, or failed to act, in conscious and deliberate disregard of a known, substantial and intolerable risk of harm to John Doe, with the knowledge that its acts or omissions were substantially certain to result in the threatened harm.

324. Hopkins School intentionally expelled John Doe without following its own rules set forth in its Discipline System and Handbook.

325. John Doe was in fact harmed by Hopkins School's deliberate and wanton acts of negligence.

326. John Doe forfeited his entire tuition. John Doe has been permanently severed from the Hopkins alumni community and will never be able to reap the lifelong benefits of membership in this elite social network.

327. John Doe has been emotionally harmed and harmed in his reputation, and he continues to be harmed because Hopkins Trustees have encouraged his ongoing harassment by Jane Roe, without limitation, who continue to defame him and spread rumors that he is "racist," far beyond the student body and community of Hopkins.

328. John Doe has therefore been damaged in an amount to be determined at trial.

**COUNT 8: Reckless or Wanton Misconduct (Hopkins Trustees)**

329. Plaintiff incorporates by reference all preceding paragraphs as if fully restated in this paragraph.

330. The Hopkins Trustees had and assumed all duties set forth in Count 6 above.

331. Hopkins Trustees intentionally breached its duty to John Doe by permitting him to be discriminated against on the basis of race, sex, political viewpoint, and disability by, among other things, remaining deliberately indifferent to his harassment by Jane Roe and other students through false accusations of "racism" because of his political viewpoint, through lewd and malicious social

media attacks including but not limited to the Cum Zone Photo and the 9 Millimeter Video, and through a mob-like campaign of false accusations that John Doe used the “N-word.”

332. Overseeing, supervising, and endorsing and adopting a race-based “social justice” campaign, Hopkins Trustees deliberately adopted a discriminatory policy and deliberately failed to supervise and oversee Hopkins’ policies and employees in the implementation of these discriminatory policies.

333. Hopkins Trustees were intentionally and deliberately indifferent to Jane Roe’s sexual harassment and racial harassment of John Doe by refusing to investigate or report on John Doe’s repeated complaints of Jane Roe’s deliberate targeting of him for abuse.

334. Hopkins Trustees intentionally breached their duty by subjecting John Doe to a Discipline Committee, in reality a struggle session designed to coerce his confession to “racism,” and Hopkins Trustees deliberately failed to follow their own rules and procedures as set forth in its Handbook.

335. Hopkins Trustees deliberately applied different, arbitrary and no-where articulated race-based standards to John Doe, as a “white” male conservative, than Hopkins Trustees applied to other students who conformed to the Hopkins orthodoxy of “social justice.”

336. Hopkins Trustees deliberately ignored John Doe’s disability and instead counted the manifestation of John Doe’s disability against him when he needed his medication for ADHD in the struggle session to which Hopkins Trustees deliberately subjected John Doe.

337. Hopkins Trustees were aware of the damage that would be caused by breaching its duty to John Doe. Hopkins Trustees therefore acted, or failed to act, in conscious and deliberate disregard of a known, substantial and intolerable risk of harm to John Doe, with the knowledge that its acts or omissions were substantially certain to result in the threatened harm.



338. Hopkins Trustees intentionally expelled John Doe without following its own rules set forth in its Discipline System and Handbook.

339. John Doe was in fact harmed by Hopkins Trustees' deliberate and wanton acts of negligence.

340. John Doe forfeited his entire tuition. John Doe has been permanently severed from the Hopkins alumni community and will never be able to reap the lifelong benefits of membership in this elite social network.

341. John Doe has been emotionally harmed and harmed in his reputation, and he continues to be harmed because Hopkins Trustees have encouraged his ongoing harassment by Jane Roe, without limitation, who continue to defame him and spread rumors that he is "racist," far beyond the student body and community of Hopkins.

342. John Doe has therefore been damaged in an amount to be determined at trial.

**COUNT 9: Negligent Infliction of Emotional Distress (Hopkins School)**

343. Plaintiff incorporates by reference all preceding paragraphs as if fully restated in this paragraph.

344. The conduct of Hopkins School created an unreasonable risk of emotional distress to John Doe, without limitation, by subjecting John Doe to a struggle session in the guise of a so-called Discipline Committee, applying unknown and never-before-applied race-based language rules, forcing his near breakdown with actual knowledge of his disability, endorsing the politically motivated and open campaign to get him expelled organized by Jane Roe, and by Hopkins school's deliberate indifference to Jane Roe's sexual, racial, and political harassment of John Doe in violation of Hopkins's rules Doe.

345. John Doe's distress and emotional harm was foreseeable.

346. John Doe in fact suffered distress and emotional harm, as manifested by physical symptoms such as vomiting and also requiring psychological treatment.

347. Hopkins School's conduct caused John Doe's emotional distress.

**COUNT 10: Negligent Infliction of Emotional Distress (Hopkins Trustees)**

348. Plaintiff incorporates by reference all preceding paragraphs as if fully restated in this paragraph.

349. The conduct of Hopkins Trustees created an unreasonable risk of emotional distress to John Doe by, without limitation, failing to supervise Hopkins' employees and oversee Hopkins' policies and race-based "social justice" crusade by and through which John Doe was subjected to a struggle session in the guise of a so-called Discipline Committee, applying unknown and never-before-applied race-based language rules, forcing John Doe's near breakdown with actual knowledge of his disability, subjecting John Doe to a politically motivated and open campaign to get him expelled organized by Jane Roe, and to Hopkins school's deliberate indifference to Jane Roe's sexual, racial, and political harassment of John Doe in violation of Hopkins's rules, of which Hopkins Trustees knew or should have known.

350. John Doe's distress and emotional harm was foreseeable.

351. John Doe in fact suffered distress and emotional harm, as manifested by physical symptoms such as vomiting and also requiring psychological treatment.

352. Hopkins Trustees' conduct caused John Doe's emotional distress.

**COUNT 11: Intentional Infliction of Emotional Distress (Hopkins School)**

353. Plaintiff incorporates by reference all preceding paragraphs as if fully restated in this paragraph.

354. The conduct of Hopkins School intended to inflict emotional distress on John Doe, without limitation, by subjecting John Doe to a struggle session in the guise of a so-called Discipline

Committee, forcing his near breakdown with actual knowledge of his disability, applying unknown and never-before-applied race-based language rules, endorsing the politically motivated and open campaign to get him expelled organized by Jane Roe, and by Hopkins School's deliberate indifference to Jane Roe's sexual, racial, and political harassment of John Doe in violation of Hopkins's rules Doe.

355. Hopkins School intended to inflict emotional distress on John Doe or should have known that his emotional distress was the likely result of Hopkins School's conduct.

356. Hopkins School's conduct was extreme and outrageous; and Hopkins School's conduct was so extreme as to go beyond all possible bounds of decency was to be regarded as atrocious and utterly intolerable in a civilized community. Hopkins School's unfair expulsion of John Doe made Meghan Maxwell, whose learning, compassion, and humanism is exemplary, breakdown weeping.

357. John Doe in fact suffered severe distress and emotional harm, as manifested by physical symptoms such as vomiting and also requiring psychological treatment.

358. Hopkins School's conduct caused John Doe's emotional distress.

**COUNT 12: Intentional Infliction of Emotional Distress (Hopkins Trustees)**

359. Plaintiff incorporates by reference all preceding paragraphs as if fully restated in this paragraph.

360. The conduct of Hopkins Trustees intended to inflict emotional distress on John Doe by, without limitation, failing to supervise employees and oversee policies and race-based "social justice" crusade by and through which John Doe was subjected, without limitation, to a struggle session in the guise of a so-called Discipline Committee. Hopkins Trustees intended to inflict emotional distress on John Doe by applying unknown and never-before-applied race-based language rules, forcing John Doe to near breakdown with actual knowledge of his disability, subjecting John Doe to a politically motivated and open campaign to get him expelled organized by Jane Roe, and to

remaining deliberately indifferent to Jane Roe's sexual, racial, and political harassment of John Doe in violation of Hopkins' rules, all of which Hopkins Trustees knew or should have known.

361. Hopkins Trustees intended to inflict emotional distress on John Doe or should have known that his emotional distress was the likely result of Hopkins Trustees' conduct.

362. Hopkins Trustees' conduct was extreme and outrageous; and Hopkins Trustees' conduct was so extreme as to go beyond all possible bounds of decency and as to be regarded as atrocious and utterly intolerable in a civilized community. In fact, Hopkins School's unfair expulsion of John Doe made Meghan Maxwell, whose learning, compassion, and humanism is exemplary, break down weeping.

363. John Doe in fact suffered severe distress and emotional harm, as manifested by physical symptoms such as vomiting and also requiring psychological treatment.

364. Hopkins Trustees' conduct caused John Doe's emotional distress.

#### **PRAYER FOR RELIEF AND JURY DEMAND**

Plaintiff John Doe Sr on behalf of his minor son John Doe prays this Honorable Court for the following relief in satisfaction of his claims,

- i. Declare Defendants The Hopkins School and Hopkins Committee of Trustees in breach of contract, negligent, and liable for reckless and wanton misconduct.
- ii. Declare The Hopkins School and Hopkins Committee of Trustees liable for negligent infliction of emotional distress and intentional infliction of emotional distress.
- iii. Order The Hopkins School and Hopkins Committee of Trustees to pay direct and indirect damages in an amount to be determined at trial.
- iv. Order The Hopkins School and Hopkins Committee of Trustees to expunge Plaintiff's transcript, educational record, and vacate his expulsion, and reinstate John Doe to membership in the Hopkins network.
- v. Order The Hopkins School and Hopkins Committee of Trustees to pay Plaintiff's common-law punitive damages.



vi. Order such other relief at law or equity as the Court finds just and proper.

**PLAINTIFF DEMANDS A TRIAL BY JURY ON ALL CLAIMS SO TRIABLE**

Respectfully submitted,



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